The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Kathleen A. Theoharides
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
http://www.mass.gov/envir

April 2, 2021

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME	: Parallel Products of New England
PROJECT MUNICIPALITY	: New Bedford
PROJECT WATERSHED	: Buzzards Bay
EEA NUMBER	: 15990
PROJECT PROPONENT	: Parallel Products of New England, Inc.
DATE NOTICED IN MONITOR	: February 24, 2021

Pursuant to Section 11.08(8)(c)(2) of the MEPA regulations, I hereby determine that the Final Environmental Impact Report (FEIR) submitted on this project **does not adequately and properly comply** with the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62I) and with its implementing regulations (301 CMR 11.00), and therefore requires the filing of a Supplemental FEIR. Specifically, I find that further analysis of the project's impacts and mitigation measures is required to satisfy the MEPA requirements that the project's environmental impacts have been clearly described and fully analyzed or that it has incorporated all feasible means to avoid Damage to the Environment.

I received over 450 comment letters from elected officials, the City of New Bedford (City), legislators, community and environmental organizations, and residents, including more than 350 letters opposed to the project because of its noise, air quality, odor and traffic impacts and its proximity to residences and schools. I note these topics were a significant focus of the Scope for the FEIR. Most commenters opposed to the project also highlighted the environmental burden placed on Environmental Justice (EJ) populations and residents in nearby sections of New Bedford associated with the cumulative impacts of existing solid waste facilities, including active and inactive landfills, hazardous waste sites and traffic congestion. The need to address the disproportionate environmental burden experienced by EJ populations was recognized by Governor Baker and the Massachusetts Legislature with the recent passage into law of Senate Bill 9 - An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy, which includes provisions that significantly increase protections for EJ communities across the

Commonwealth. Regulations for administering the EJ-related provisions of this legislation will be developed in the near future. The MEPA review process offers an appropriate forum for addressing cumulative environmental impacts, including those disproportionally affecting EJ populations.

The information and analyses to be provided in the Supplemental FEIR are necessary to comprehensively address the issues identified in comment letters submitted by the City and others and issues identified in the Scope for the FEIR, issued on January 30, 2020. As detailed below, the Scope is largely consistent with comments provided by the Massachusetts Department of Environmental Protection (MassDEP), which identify information that will be required during the solid waste permitting process, including additional analyses of the project's noise and traffic impacts and potential discharges of per- and polyfluoroalkyl substances (PFAS). The Supplemental FEIR will provide an opportunity for public review and comment on this information prior to the project entering the permitting phase.

Project Description

As described in the FEIR, the project includes the construction of a waste management facility comprised of a glass recycling/processing facility; a solid waste handling and processing facility that will accept 1,500 tons per day (tpd) of municipal solid waste (MSW) and construction & demolition (C&D) waste; and a biosolids drying facility that will accept 50 dry tpd (400 wet tpd) of biosolids, which are residual solid materials left over from the treatment of sewage at municipal wastewater treatment plants (commonly referred to as sludge).

The project will be constructed in two phases. Phase 1 includes construction of: a 27,500-square foot (sf) building for glass recycling/processing ("Glass Processing Building"), a 23,050-sf bunker building ("Glass Processing Bunker Building") attached to the north side of the Glass Processing Building, a 22,819-sf side bunker building ("Glass Processing Side Bunker Building") southeast of the Glass Processing Building, a railroad (RR) sidetrack from the main RR line to the glass processing facility, and installation of a 1.9-megawatt (MW) solar photovoltaic (PV) array. The glass recycling/processing facility will also occupy an approximately 50,000-sf portion of an existing 92,200-sf building ("existing building"). The glass recycling/processing facility will recycle glass collected through the Massachusetts bottle deposit system. Glass processing will include crushing, sizing and separation of the glass by color. Processed glass will be stored in bunkers until it is loaded into rail cars or trucks for shipment to bottle manufacturers. Phase 1 was proposed by the Proponent to meet a regional need for glass processing by providing an alternative market for glass that would otherwise be discarded. The proponent submitted an Expanded Environmental Notification Form (EENF) in February 2019 with a Phase 1 Waiver request to allow Phase 1 to proceed prior to completion of MEPA review of the second phase of the project. A Phase 1 Waiver was granted in a Final Record of Decision (FROD) issued on May 15, 2019 and no further MEPA review of the Phase 1 project components, as described in the EENF, is required. The glass recycling facility is operating in the existing building and in the 27,500-sf Glass Processing building. Construction of the other Phase 1 components has not commenced.

Phase 2 includes the MSW and C&D transfer station, the biosolids drying facility ("Biosolids Building") and extension of the RR sidetrack to service these facilities. The transfer station will be comprised of a 48,900-sf MSW and C&D tipping and processing building

attached to the west side of the existing building, which will house sorting and processing equipment to remove waste ban items and separate out recyclable materials. The MSW tipping building will have four 70-ft high (above ground level) exhaust stacks and the MSW processing building will have three 70-ft high exhaust stacks. The biosolids facility will be constructed as a stand-alone 30,000-sf building northeast of the glass recycling facility. Biosolids processing will consist of drying the biosolids to reduce the volume and tonnage of the material prior to off-site disposal. The biosolids building will include twelve (12) 40-ft high exhaust stacks. Shipment of all outbound material will primarily occur via rail car. According to the FEIR, two changes have been made to the project design since the filing of the Draft Environmental Impact Report (DEIR) to minimize noise impacts. The Biosolids Building has been expanded to allow delivery trucks to enter the building and unload the wet biosolids, and a proposed 24-ft high noise barrier will be lengthened to 325 ft and extended along the eastern and southern end of the RR spurs to shield sounds from locomotives, railcar coupling and mechanical equipment at the Biosolids Building.

According to the FEIR, MSW, C&D and biosolids will be delivered to the facility by truck between 5:00 AM and 9:00 PM, Monday through Saturday. Biosolids delivery may also occur on Sunday between 6:00 AM and 6:00 PM. The facility will receive C&D, baled MSW, and loose MSW in live floor trailers, transfer trailers, and packer trucks (respectively). All material will be deposited and processed within the tipping and processing building. Trucks will be weighed on a truck scale and backed into the proposed tipping building to tip their load. Processing equipment and manual picking lines will remove waste ban items, including recyclables, from the mixed waste and will separate other recyclable materials for recycling or diversionary uses. Extracted recyclables are expected to comprise 20 percent of the MSW throughput and will be sent to recycling markets by rail or truck. The facility will include two processing lines with a total capacity of 40 tons of MSW per hour. Residual waste will be baled, shrink-wrapped, and transported via rail for disposal at off-site locations. Baled waste delivered to the site will not be further processed by transported off-site. The facility will receive Category 2 (pre-processed) and Category 3 (bulky waste with minimal recyclable material) C&D, which will be delivered to the tipping facility in trailers. Processed MSW will be baled and shrink-wrapped prior to being loaded onto rail cars. The facility is anticipated to generate 1,300 tpd of processed MSW and C&D for disposal, which would fill approximately 15 rail cars each day.

The biosolids processing facility will accept solids from wastewater treatment plants and will have a maximum processing capacity of 50 dry tpd (400 wet tpd). All biosolids processing will be done within a separate enclosed building with ionization and biofilter odor control systems. The facility will accept dewatered cake biosolids with a solids content between 15 percent and 30 percent and thickened wet slurry biosolids with a solids content of 5 percent to 10 percent. Wet slurry biosolids will be delivered to the site in tanker trucks, which will discharge the slurry through piping to storage tanks that will be sized to hold a volume equivalent to three days of deliveries. The slurry will be dewatered to produce a biosolids cake with a solids content of 30 percent. Approximately 52,000 gallons per day (gpd) of wastewater is expected to be extracted from the dewatering process and discharged into the City's sewer system. The dewatered biosolids cake will be delivered to the site in covered dump trucks. The trucks will drive into the facility and dump the material into a receiving area. The dewatered cake biosolids and dewatered slurry cake will be blended together and directed to a thermal dryer that utilizes a natural gas burner. The facility will be equipped with four dryers arranged in a parallel configuration, three of which will be typically in use and the fourth on standby if another dryer

becomes unavailable; if all four dryers are inoperable, the biosolids and cake will be stored within the facility until its storage capacity is reached and no more material can be accepted. Moisture evaporated from the drying process will be condensed at a rate of 30,000 gpd and discharged into the City's sewer system. The biosolids will be dried to approximately 90 percent solids and sent via railcar or truck for disposal or for beneficial reuse as landfill daily cover. According to the FEIR, the facility will include fire alarms and fire suppression systems recommended by the National Fire Protection Association to minimize the potential the risk of fires during drying operations. The dryers will include safety features such as temperature controls, measures to minimize flammable dust from entering the dryers and a fire suppression system, and will be operated to maintain oxygen-deficient conditions within the dryer. Dried biosolids will be cooled before being transferred to storage tanks, stored in oxygen-deficient conditions and monitored for temperature. Dried biosolids will not be marketed or sold for reuse as fertilizer.

Project Site

The 71-acre project site is located within the New Bedford Industrial Park at 100 Duchaine Boulevard. The site is generally bounded by industrial properties and Samuel Barnet Boulevard to the north, Phillips Road to the east, undeveloped land to the south, and RR tracks and the Acushnet Cedar Swamp State Reservation to the west. The site was previously developed by the Polaroid Corporation and contains access roads, parking areas, stormwater management infrastructure and numerous buildings. The Proponent purchased the site in 2016 and has relocated a portion of its processing and recycling operations from 969 Shawmut Avenue in New Bedford to the project site. The site also contains a 1.6-MW solar photovoltaic (PV) system mounted on a series of carport canopies. Access to the site is provided from Duchaine Boulevard, via an internal one-way loop roadway surrounding the proposed facility.

Most of the northern and western parts of the site are comprised of wetland resource areas, including Bank, Bordering Vegetated Wetlands (BVW), Land Under Water (LUW), and Riverfront Area. The project site is not located in Priority and/or Estimated Habitat as mapped by the Division of Fisheries and Wildlife's (DFW) Natural Heritage and Endangered Species Program (NHESP) 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.

Environmental Impacts and Mitigation

Potential environmental impacts associated with full-build of the project include alteration of 2.8 acres of land; a net addition of 0.3 acres of new impervious area (18.03 acres total at the site); alteration of 4,095 sf of BVW, 45 linear feet (lf) of Bank, 4,700 sf of Bordering Land Subject to Flooding and 4,700 sf of Riverfront Area; generation of 718 new average daily trips (adt), including 418 daily truck trips; use of 70,150 gallons per day (gpd) of potable water, and generation of 113,750 gpd of wastewater. Of these impacts, the following are attributable to Phase 2: alteration of 2.24 acres of land, generation of 478 adt (including 328 truck trips), use of 70,150 gpd of potable water and generation of 113,750 gpd of wastewater. Construction and operation of the facilities will emit air pollutants and odors and generate noise. The project will also emit Greenhouse Gasses (GHG) in connection with its energy use and trip generation.

Measures to avoid minimize, and mitigate project impacts include constructing the project on a previously altered site; enclosing all areas where discharge, handling and processing of glass, solid waste and biosolids will occur; use of rail to transport the majority of material from the site; installation of a floor drain collection system that drains to a holding tank or sanitary sewer system to prevent groundwater contamination; operation of a 3.9-megawatt (MW) canopy-mounted solar PV generating system; erosion and sedimentation controls; stormwater management controls and implementation of Best Management Practices (BMPs) to minimize odor, dust, noise, and litter impacts.

Jurisdiction and Permitting

The project is undergoing MEPA review and requires the preparation of a mandatory EIR pursuant to Sections 11.03(5)(a)(6) and 11.03(9)(a) of the MEPA regulations because it requires State Agency Actions and will result in: New Capacity for storage, treatment, processing, combustion or disposal of 150 or more wet tpd of sewage sludge and New Capacity of 150 or more tpd for storage, treatment, processing, or disposal of solid waste (respectively). Because it requires an EIR, the project is subject to review in accordance with the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol. The project is also subject to the Executive Office of Energy and Environmental Affairs' Environmental Justice (EJ) Policy as it is located within an EJ Population and exceeds mandatory thresholds for sewage and solid waste.

Phase 1 of the project will receive Financial Assistance from the Massachusetts Department of Transportation (MassDOT) Industrial Rail Access Program (IRAP) in the amount of $500,000. Phase 1 received an Order of Conditions (DEP File No. SE49-0381) from the New Bedford Conservation Commission on July 30, 2020 and an amended Site Plan Approval from the New Bedford Planning Board on December 23, 2020.

The remainder of the project will require a Determination of Site Suitability, Authorization to Construct, and Authorization to Operate from MassDEP and a NPDES General Permit (GP) for Construction and/or Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity from the U.S. Environmental Protection Agency (EPA). The project will also require a number of local permits from the City, including: Site Assignment from the Board of Health (BOH), a new and/or Amended Order of Conditions from the Conservation Commission, and a new and/or amended Site Plan Approval from the Planning Board.

Because the Proponent is seeking Financial Assistance, MEPA jurisdiction is broad in scope and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations. The impacts arising from Phase 2 also are closely related to the required State Permits, including MassDEP's site suitability standards for solid waste handling facilities.

Review of the FEIR

The FEIR described the project and its environmental impacts and identified mitigation measures. It provided detailed site plans, including existing conditions and site conditions under Phases 1 and 2. It included a review of the project's permitting status, a response to comments

received on the DEIR and draft Section 61 Findings. As noted below, the FEIR did not adequately respond to several issues raised in the Scope. These issues should be addressed in the Supplemental FEIR.

Environmental Justice and Public Outreach

The Scope included in the DEIR Certificate required the FEIR to: describe how the project's air emissions will be monitored during operation of the facility to track its contribution to contaminants affecting sensitive receptors and the data made available to the public; develop a system for logging odor, noise and dust complaints associated with the operation of the facility and identify response measures; and include additional information about the operations of the facility and potential public health, environmental and transportation impacts, including a review of potential climate-related air quality impacts and an expanded discussion of how extreme temperatures might affect the frequency and severity of future air quality alerts issued by the National Weather Service (NWS).

According to the Proponent, the modeling of the project's air emissions previously provided in the DEIR, and summarized in the FEIR, described a worse-case scenario based on maximum site processing rates. The analysis documented that concentrations of air contaminants emitted by the facility will be below MassDEP's air permitting thresholds and MassDEP has not identified the need for an air permit for the project. According to the FEIR, the results of the air dispersion model address cumulative air impacts and varying climate conditions. As described in the FEIR, the ambient air toxic standards are intended to address the cumulative effect of the project's emissions and the project's emissions of criteria pollutants are evaluated against the standards after adding background pollutant concentration for other sources. The air dispersion model was prepared using methods prescribed by the EPA and incorporated weather conditions reflected in five years of hourly weather data; according to the FEIR, dispersion of pollutants is affected by colder temperatures rather than the prolonged period of high temperature projected under future climate conditions. As detailed below, the Supplemental FEIR should include a review of the analysis of the project's air emissions written in non-technical language.

Public Outreach

The FEIR described additional public outreach efforts conducted by the Proponent prior to filing the FEIR, including two virtual meetings held in December 2020. The Proponent will be required to continue to inform the public and seek additional input about the project during the subsequent permitting process. In connection with the MassDEP's Site Assignment review, the Proponent will be required to develop a Public Involvement Plan (PIP); the Supplemental FEIR should include an outline of public participation measures that may be included in the PIP.

I appreciate that the Proponent distributed the FEIR 30 days prior to the start of the formal MEPA comment period to provide additional time for public review of the project The public will continue to have opportunities to learn about the project and to review and comment on subsequent permit applications. Commenters on the FEIR and previously-filed MEPA documents for this project will receive a copy of the Supplemental FEIR as described below and will have an opportunity to comment during the 30-day comment period. The project will also require three permits or approvals from MassDEP. The Site Suitability review will include a 21-day comment period and the Authorization to Construct permit review will include a 30-day

public comment period; MassDEP may also allow for a 21-day comment period in connection with the issuance of a provisional Authorization to Operate permit. In addition, the BOH must hold a public hearing prior to making a decision on the Site Assignment.

The FEIR included a draft of a log sheet that will be used by the Proponent to document complaints received from the public regarding noise, odor and/or dust generated by the facility. Upon receipt of a complaint, staff of the facility will note weather conditions, attempt to confirm the odor, noise and/or dust impact reported by the complainant, implement mitigation measures to eliminate or minimize the impact, evaluate the cause of the complaint and determine whether new practices or procedures are necessary to avoid a repetition of the impact, and respond to the complainant. In the FEIR, the Proponent committed to monitoring the facility's emissions of Volatile Organic Compounds (VOC) and Particulate Matter (PM_{10}) by tracking monthly mass rates of air emissions and applying an air emissions factor based on the corresponding tonnage of processed glass, MSW and biosolids. The Proponent has proposed to make this data available for review by MassDEP, and if requested by MassDEP to do so, publicly available. As detailed below, the Supplemental FEIR should include additional details about the distribution of air quality data and implementation of the complaint logging system.

Solid Waste

The Scope for the FEIR required additional information about the delineation of the waste handling site assignment areas, the proposed site assignment boundary relative to adjacent agricultural lands, movement of rail cars through the site and potential modifications that could be made to the facility and its operations to address potential future regulations concerning the handling, treatment and disposal of PFAS in wastewater and biosolids.

The FEIR included an updated land use plan with a revised site assignment boundary that establishes a 100-ft buffer between mapped agricultural soils to the west of the site and the proposed site assignment area. The change to the proposed site assignment area boundary will not affect the proposed layout of the proposed facility. The FEIR clarified that the waste handling area shown on the land use plan includes all areas that meet the regulatory criteria for waste handling pursuant to Site Assignment Regulations (310 CMR 16.00); however, the Proponent has committed to conduct all waste handling and processing within the enclosed buildings.

According to the FEIR, the Proponent anticipates that most waste will be transported off-site by rail. The FEIR included additional details regarding the movement of rail cars from the RR tracks to the west to on-site rail spurs and loading tracks. One track (Track 1) will pass into loading areas within the MSW and Glass Handling buildings to minimize noise associated with loading of waste into the rail cars. The other four spurs (Tracks 2 through 5) will be parallel to and north of the Track 1 and extend to the eastern part of the site. Empty rail cars stored on two of the tracks will be sequentially moved onto Track 1, loaded, then moved back onto two empty tracks until hauled away. This pattern will continue until 10 full cars are located on one track and eight full cars are on another track, at which point a locomotive will deliver 10 empty cars to an empty track and eight empty cars to the other empty track and haul away the 18 filled cars. Dried biosolids will be trucked in covered containers from the Biosolids building to the loading area within the MSW building, loaded onto a rail car on Track 1, and transported off-site with the other wastes as described above.

The Scope for the FEIR required the Proponent to review how the biosolids facility may be operated if it is subject to future PFAS standards applicable to wastewater and/or solids (residuals) imposed by state, federal or City regulations. According to the FEIR, construction of the biosolids facility will not commence for at least a year and will be designed in accordance with all applicable regulations that will be in place at that time. During the review period, the Proponent acknowledged that future PFAS regulations may influence the design, construction and operation of the biosolids drying facility in the following ways:

- No changes may be necessary if the facility as currently designed is determined to comply with future standards and/or if the City's wastewater treatment system is modified to address PFAS in wastewater;
- A pre-treatment system may have to be added to the project to remove or reduce PFAS prior to discharge of wastewater into the City's sewer system;
- The facility may accept only wet biosolids that have been processed or treated to meet PFAS standards; or,
- The Proponent may decide to eliminate biosolids drying from the project or cease operations of the biosolids drying facility.

Standards for PFAS in drinking water were promulgated in 2020 and MassDEP is developing regulations to address potential human and ecological exposure to PFAS from other sources. Many commenters, including MassDEP and the City, identified the need for additional analysis of potential discharges of PFAS from the biosolids handling, transport and drying process; this analysis should be provided in the Supplemental FEIR.

Traffic

The FEIR included an updated traffic analysis prepared in accordance with the EEA/MassDOT *Transportation Impact Assessment (TIA) Guidelines* used to analyze transportation-related impacts of projects subject to MEPA review. The analysis compared traffic volumes and roadway and intersection operations under 2020 Base, 2020 Existing, 2027 No Build and 2027 Build conditions. Traffic conditions prior to the addition of truck and vehicle traffic generated by Phase 1 of the project are reflected in the 2020 Base scenario; because traffic counts could not be collected due to abnormally low traffic volumes associated with the COVID-19 pandemic, previously-collected counts from 2018 were adjusted using traffic counts collected by MassDOT prior to the pandemic in February 2020. The 2020 Existing condition was developed by adding truck and automobile trips generated by Phase 1 of the project to the 2020 Base scenario. Future conditions were modeled by increasing traffic volumes in the 2020 Existing scenario by one percent per year over the seven-year study horizon and are represented by the 2027 No Build condition. The 2027 Build condition was developed by adding the truck and automobile trips generated by the full buildout of the project to the 2027 No Build scenario. The analysis reviewed traffic operations at the seven same intersections that were studied in the DEIR:

- Route 140 Northbound (NB) Ramps at Braley Road;
- Route 140 Southbound (SB) Ramps at Braley Road;
- Braley Road/Theodore Rice Boulevard at Phillips Road;
- Theodore Rice Boulevard at Duchaine Boulevard;

- Duchaine Boulevard at Samuel Barnet Boulevard;
- Phillips Road at Samuel Barnet Boulevard; and,
- Duchaine Boulevard at Site Driveway.

Vehicles are expected to travel to the site along a route from Route 140 to Braley Road/Theodore Rice Boulevard and onto Duchaine Boulevard, and to follow the same route in reverse when leaving the site. The FEIR included a commitment to prohibit trucks associated with the facility from using Phillips Road, which abuts the residential neighborhood east of the site, to travel to or from the facility; this prohibition will be included in contracts with waste haulers which will specify financial penalties for trucks using Phillips Road and will ban repeat offenders from using the facility.

The FEIR included revised trip generation estimates for the project. Phase 2 will generate up to 328 truck trips per day on each day the facility is open, in addition to the 90 truck trips per day generated by Phase 1, for a total of up to 418 truck trips per day under full-build conditions. Employees of the facility will generate 150 trips per day in Phase 1 and an additional 150 trips in Phase 2 for a full-build total of 300 daily trips. Estimates of the volume and hourly distribution of truck trips were based on observations of truck traffic patterns and the number of each type (size) of trucks used to deliver and transport waste at facilities in Rochester and Taunton. Under 2027 Build conditions, Phase 2 of the project will generate a total of 478 daily trips, including 59 vehicle trips in the morning peak period and 59 trips in the evening peak period. According to the FEIR, the trip generation estimate is conservative because it assumes that all material will be brought to the site and transported from the site by truck; the number of truck trips will be lower if the proposed rail service to the site is implemented.

The results of the revised analysis of traffic operations at study area intersections provided in the FEIR are consistent with the DEIR analysis. According to the FEIR, several intersections in the study area experience congestion and long delays under existing conditions and project-generated traffic will further exacerbate these conditions. I note that the analysis indicated that the level of service (LOS) of the westbound left turn at the Route 140 SB Ramps at Braley Road will degrade from LOS D under 2027 No Build conditions to LOS E under 2027 Build conditions. An LOS D indicates an acceptable level of traffic operations through an intersection; an intersection operating at LOS E or LOS F will experience increased congestion and delays. The FEIR documented that several intersections, most notably Route 140 NB Ramp at Braley Road and Braley Road/Theodore Rice Boulevard at Phillips Road, operate at LOS E or LOS F with long delays and queues under the Existing 2027 and No Build 2027 conditions. The addition of project-generated traffic, as modeled under the 2027 Build scenario, will cause even longer delays and queues at these intersections, including queues that may cause traffic to back up onto Route 140.

According to the FEIR, roadway mitigation to address the impacts of project-generated traffic is not necessary because the project will cause minor delays at intersections that already operate over capacity under existing conditions. In addition, the FEIR suggested that the project's traffic impacts may be less than represented in the FEIR because the analysis assumed that all waste will be transported off-site by truck rather than by rail. As noted above, the traffic analysis in the FEIR documented that project-generated traffic will cause lengthened queues at the Route 140 NB off-ramp that may extend beyond the ramp onto the highway and add to

delays and congested at intersections that already experience poor levels of traffic operations. The FEIR also included a traffic signal warrant analysis for the Braley Road/Theodore Rice Boulevard at Phillips Road intersection that confirmed that the intersection meets traffic volume and delay criteria for installation of a traffic signal under both 2020 Existing and 2027 Build conditions. As detailed in the Scope below, the Supplemental FEIR should provide additional transportation information as requested by MassDEP and review potential mitigation measures to address the impacts identified above.

Noise

The FEIR included a revised noise analysis that incorporated additional sources of noise identified by MassDEP in its comment letter on the DEIR, including waste delivery vehicles inside and outside the buildings; MSW, biosolids and glass processing equipment; biosolid and glass tipping and loading; loading and movement of rail cars; and short duration sounds from the outdoor operation of waste handling equipment, delivery vehicle back-up alarms, and dump truck tailgates. Project-generated noise was modeled as either continuous noise or incidental noise. Continuous noise sources included exterior fans associated with the MSW, Biosolids and Glass Processing Buildings; cooling towers, biofilter exhaust stack and makeup air fan associated with the Biosolids Building; MSW tipping, dumping and moving with three open bay doors on the west side of the MSW Building; an open railcar loading bay door on the west side of the MSW Building; and exhaust and ventilation systems at the Glass Processing Bunker Building. Incidental sources included back-up alarms on trucks operating on the west side of the MSW Building; an idling locomotive near the northeast corner of the MSW Building; and railcar couplings at the eastern end of the rail spurs. Noise generated from these sources was modeled under the assumption that the following noise mitigation measures have been incorporated into the project design:

- Siting of noise generating equipment and material handling routes away from residences;
- Reducing truck backup alarms by arranging a forward traffic flow for unloading of biosolids;
- The use of an electric rather than diesel-powered rail car pusher;
- Conducting all waste handling activities within enclosed buildings;
- The use of low noise equipment, silencing equipment and insulated walls to minimize noise from stationary equipment;
- Require trucks to drive through the site at slow speeds and locate truck scales away from residences; and
- Construction of a 325-ft long, 24-ft high L-shaped sound barrier around the eastern and southern ends of the rail spur to shield noise generated by locomotives, railcar coupling and ground level equipment at the Biosolids Building.

The analysis of continuous noise sources assumed that all stationary equipment was operating at full load at the same time. Sound levels produced by continuous and incidental sources were modeled separately and compared to ambient sound levels at five residences nearest to the project site. The analysis indicated that the continuous and incidental sources will cause an increase of up to eight decibels (dBA) and 10 dBA, respectively, at one of the residences. According to the FEIR, the results indicate that the project will comply with

MassDEP's Noise Policy, which prohibits an increase of more than 10 dBA over ambient conditions. As detailed below, MassDEP has identified additional analyses that must be provided to support the conclusions of the noise analysis, including more information to support the analysis of noise impacts and mitigation measures identified in the FEIR.

Greenhouse Gas Emissions

The FEIR provided additional information about the project's stationary-source GHG emissions in response to the Scope included in the DEIR Certificate. It clarified that full energy models were prepared for the Biosolids, Glass Processing and Glass Processing Bunker buildings, which are considered to be conditioned spaces; the unconditioned space in the MSW Building and the Glass Processing Side Bunker Building were modeled only with respect to energy use associated with the lighting and ventilation needs of these buildings. The FEIR confirmed that the 90-percent efficient heating system originally proposed for the Biosolids building is not feasible because a direct-fired burner cannot be used in the building due to the risk of combustion of gases produced in the drying process. The Proponent has proposed to use an 82-percent efficient heating system in the Biosolids Building, which exceeds the minimum Building Code requirement for an 80-percent efficient heating system.

As described in the FEIR, the proposed buildings will emit 11,721 tons per year (tpy) of GHG, a 0.7 percent reduction compared to the emissions produced by buildings designed to meet the Baseline energy requirements of the Building Code (11,833 tpy). This marginal improvement is due to the use of an 82-percent efficient heating system rather than an 80-percent efficient heating system and reduced lighting power density (LPD) in the buildings.

According to the Department of Energy Resources (DOER), the proposed buildings appear to have been designed to meet outdated Building Code energy conservation requirements. While the GHG Policy allows for a Proponent to use a consistent baseline throughout MEPA review of a project, the building designs must meet all applicable standards of the Building Code that is in effect when the application for a Building Permit is filed with the City. As noted by DOER, the project design includes only two of the three specific measures identified under Section C406 of the Building Code and therefore may not be eligible to be granted a Building Permit by the City. The FEIR also indicated that the Glass Processing Building constructed in Phase 1 of the project does not comply with the Building Code because it was constructed without a required roof insulation liner. In the FEIR, the Proponent requested that the project be allowed to forgo retrofitting the Glass Processing Building with this required energy conservation measure. The Proponent should consult with the City to determine what additional improvements can be made to the existing Glass Processing Building in order to conform to the Building Code and to ensure that the project's other buildings are designed to meet all requirements of the Building Code that are in effect at the time a Building Permit application is filed. The Supplemental FEIR should review additional measures that will be incorporated into the design of the existing and proposed buildings to conform to Building Code requirements.

The FEIR documented that the project will reduce mobile-source GHG emissions by approximately 60 percent (18,802 tpy) by using rail rather than trucks to transport waste off-site. In the FEIR, the Proponent committed to installing a 1.9-MW solar PV system in addition to the existing 1.6-MW PV system; during the review period, the Proponent indicated that an additional 0.4 MW PV system will be constructed if the electric utility approves of the interconnection. The

FEIR did not review the proposed biosolids drying equipment and document that energy-efficient models will be used, as previously requested in the Scope for the FEIR; this information should be provided in the Supplemental FEIR.

Conclusion

As noted above, the FEIR did not adequately address the requirements of the Scope included in the DEIR Certificate and additional information and analysis is necessary to demonstrate that the project has taken all feasible measures to avoid, minimize, and mitigate impacts. As such, I cannot find that the FEIR and supplemental information have satisfied the regulatory requirements to ensure that the project's environmental impacts have been clearly described and fully analyzed and that the project takes all feasible means to avoid Damage to the Environment. In addition, comments from MassDEP identified additional information and analysis requested in the agency's comments on the DEIR that will be required to determine whether impacts will be avoided, minimized, and mitigated to the extent feasible and to demonstrate compliance with permitting requirements. Accordingly, I am requiring the Proponent to file a Supplemental FEIR pursuant to Section 11.08(8)(c)(2) of the MEPA regulations.

SCOPE

General

The Supplemental FEIR should follow Section 11.07 of the MEPA regulations for outline and content, and include the information and analyses identified in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent feasible. I expect the Supplemental FEIR will provide a comprehensive response to comments on the FEIR that specifically address each issue raised in the comment letter; references to a chapter or sections of the Supplemental FEIR alone are not adequate and should only be used, with reference to specific page numbers, to support a direct response. The Supplemental FEIR should identify measures the Proponent will adopt to further reduce the impacts of the project since the filing of the FEIR, or, if certain measures are infeasible, the Supplemental FEIR should discuss why these measures will not be adopted.

The information and analyses identified in this Scope should be addressed within the main body of the Supplemental FEIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modeling, that is otherwise adequately summarized with text, tables and figures within the main body of the Supplemental FEIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the Supplemental FEIR to materials provided in an appendix should include specific page numbers to facilitate review.

The Supplemental FEIR should address, in a detailed and comprehensive manner, issues raised in comment letters submitted by MassDEP and DOER, which are incorporated by reference herein. In general, information and analyses provided in response to these comment letters should be incorporated into the main body of the Supplemental FEIR rather than provided solely in the Response to Comments section.

Project Description and Permitting

The Supplemental FEIR should provide a description of the project, including updated plans that clearly identify existing and post-development conditions. It should include a detailed description of all project components and activities associated with each phase. The Supplemental FEIR should identify and describe State, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. It should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards. The Supplemental FEIR should include a comprehensive list of all mitigation measures and draft Section 61 Findings that include a detailed list of all mitigation commitments. As noted above, the information and analyses required in this Scope largely reflect the information identified by MassDEP that will be required during the permitting process; the Proponent should consult with MassDEP and the MEPA Office prior to filing the Supplemental FEIR to ensure that the document is responsive to this Scope.

Solid Waste

The Solid Waste Site Assignment Regulations (310 CMR 16.00) require MassDEP to determine whether the site is suitable for the proposed facility based on Site Suitability Criteria listed at 310 CMR 16.40. The regulations specify that a determination that the site is suitable for the proposed solid waste management facility include an evaluation of whether the impacts of the facility "by itself, or in combination with impacts from other sources within the affected area, constitute a danger to public health or safety or the environment." The information and analyses related to MassDEP's evaluation of site suitability provided in the Supplemental FEIR, including those addressing noise and traffic, should address this standard to the extent possible. To assist in characterizing impacts from other sources, the Supplemental FEIR should identify existing solid waste facilities, including those identified in the City's comment letter, describe how they are clustered geographically, and summarize the authorized operation and capacity of the facilities. The Supplemental FEIR should evaluate on-site and off-site measures to adequately mitigate environmental impacts. I encourage the Proponent to consult with MassDEP and the MEPA Office prior to completing these analyses.

The Supplemental FEIR should provide a comprehensive review of potential pathways for discharges of PFAS into air, soil and water resources associated with the biosolids drying process and as a result of any potential uses of the dried biosolids. It should provide a detailed analysis of direct and indirect impacts that may result from emissions of PFAS into the air. According to MassDEP, the solid waste permits may require that the Proponent reduce and monitor PFAS impacts to the environment. The Supplemental FEIR should review potential PFAS reduction measures and monitoring procedures. It should review potential permitting requirements related to the discharge of wastewater into the City's sewer system, including any pre-treatment for removal of PFAS and other pollutants.

Noise

According to MassDEP, the Noise Policy identifies a sound level increase of 10 dBA as an enforcement standard, rather than a design standard. The Supplemental FEIR should document that the project's noise impacts will be mitigated to the maximum extent practical by

evaluating a full set of potential noise control measures and adopting all mitigation measures that are technologically and economically feasible. It should include a comparison of noise impacts with and without mitigation to evaluate the effectiveness of each measure. The Supplemental FEIR should include an updated noise analysis consistent with MassDEP's comment letter and the following:

- Continuous and incidental sources should be modeled together, or the Proponent should justify the separate modelling of these sources presented in the FEIR;
- Project-related sound impacts should be modeled at both the nearest inhabited building(s) and at the property line;
- The noise study should evaluate the cumulative noise impacts from the project, including waste delivery vehicles on-site both inside and outside the building;
- The assertion that facility operations will not create any pure tones must be supported by appropriate data and analyses; and,
- As appropriate, the specific BMPs should be evaluated, including measures to prevent noise generated by truck tailgates.

The Supplemental FEIR should identify appropriate mitigation to address the project's noise impacts as documented by the revised noise analysis.

Traffic

According to MassDEP, further analysis is required to support the Proponent's conclusion that the traffic impacts associated with the facility will not constitute a danger to public health or safety or the environment with consideration to traffic congestion, pedestrian and vehicular safety, and roadway configuration. The Supplemental FEIR should provide a supplemental traffic analysis that addresses MassDEP's comments and the following:

- Potential impacts to delay time and queue lengths at some study area intersections under the Build scenario and mitigation measures;
- Potential impacts to volume-to-capacity (v/c) ratio for some study area intersections under the Build scenario and mitigation measures;
- Modeling of various distribution scenarios that may occur to compensate for uncertainties regarding the normal hourly fluctuation in waste deliveries;
- Modeling of operations at study area intersections under mitigated conditions, including signalization of the intersection of Braley Road at Phillips Road/Theodore Rice Boulevard;
- Potential mitigation measures to address degradation of LOS of turning movements at the Route 140 SB at Braley Road intersection under the 2027 Build scenario;
- Potential mitigation measures to address congested conditions and delays at the intersections of Route 140 NB Ramps at Braley Road, Route 140 SB Ramps at Braley Road, and Braley Road at Phillips Road/Theodore Rice Boulevard under existing and future conditions; and,
- Potential mitigation measures to minimize extended queues throughout the study area, including the Route 140 NB Ramp.

The Proponent should consult with MassDEP, MassDOT and the City regarding this analysis and potential mitigation measures prior to filing the Supplemental FEIR.

Environmental Justice

The Proponent should continue its public outreach efforts prior to filing the Supplemental FEIR. The Supplemental FEIR should include a draft of the PIP that will be required by MassDEP in its solid waste permitting process. The PIP should address recommendations for public outreach and information efforts identified in MassDEP's comment letter and the measures listed below:

- Distribution of fact sheets and comment cards with pre-paid postage;
- Public meetings within the community with interpreter services;
- Advertisement of public meetings on radio, social media, and newspapers including The Standard Times, Portuguese Times, and New Bedford Guide;
- Outreach to EJ leaders, community leaders and municipal officials; and,
- Distribution of project-related air pollution and environmental impact information written in clear, non-technical language and translated as necessary.

The Supplemental FEIR should address how the Proponent will encourage the public to submit complaints in a confidential manner and how the complaint log and air quality data will be made available to the public in a convenient manner. It should provide a review of the analysis of the project's air emissions and baseline public health data written in non-technical language. Additionally, as noted above in the Solid Waste section, the Supplemental FEIR should include information and analyses that addresses impacts from other solid waste facilities in the area in order to provide context for the analyses in this Scope.

Greenhouse Gas Emissions

The Supplemental FEIR should respond to the issues identified in DOER's comment letter, which is incorporated by reference herein. It should review the building designs presented in the FEIR and identify additional energy conservation measures that will be incorporated into the design of the buildings to meet all Building Code energy requirements. As previously requested in the Scope for the FEIR, the Supplemental EIR should include a discussion of the proposed biosolids drying system, including energy efficiency features, and compare the proposed drying system to other drying systems with respect to energy use and GHG emissions.

Mitigation and Draft Section 61 Findings

The Supplemental FEIR provided draft Section 61 Findings for use by State Agencies. The Section 61 Findings should be provided to State Agencies to assist in the permitting process and issuance of final Section 61 Findings. The Proponent will provide a GHG self-certification to the MEPA Office that is signed by an appropriate professional (e.g., engineer, architect, transportation planner, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project. To the extent the project will take equivalent measures to achieve the identified

reductions, I encourage the Proponent to commit to achieving the same level of GHG emissions identified in the mitigated (design) case expressed in volumetric terms (e.g., tpy).

Response to Comments

The Supplemental FEIR should contain a copy of this Certificate, and a copy of each comment letter received on the FEIR. Based on the large volume of form letters received, copies of form letters may be provided electronically. To ensure that the issues raised by commenters are addressed, the Supplemental FEIR should include a separate chapter with direct responses to comments to the extent that they are within MEPA jurisdiction. A single response to form letters can be provided. This directive is not intended, and shall not be construed, to enlarge the scope of the Supplemental FEIR beyond what has been expressly identified in this certificate. The Proponent should provide a direct response to individual responses or to groups of indexed comments raising the same issue. Responses must specifically address each comment letter on the FEIR; references to a chapter or extensive section of the Supplemental FEIR are not adequate.

Circulation

The Proponent should circulate a hard copy of the Supplemental FEIR to those parties who commented on the EENF, DEIR and/or FEIR, to any State Agencies from which the Proponent will seek permits or approvals, and to any parties specified in section 11.16 of the MEPA regulations. The Proponent should consult with the MEPA Office prior to filing the Supplemental FEIR to determine whether additional distribution or outreach may be warranted to the surrounding community. Per 301 CMR 11.16(5), the Proponent may circulate copies of the Supplemental FEIR to commenters in CD-ROM format or by directing commenters to a project website address. However, the Proponent must make a reasonable number of hard copies available to accommodate those without convenient access to a computer and distribute these upon request on a first-come, first-served basis. The Proponent should send correspondence accompanying the CD-ROM or website address indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. The Supplemental FEIR submitted to the MEPA office should include a digital copy of the complete document. A copy of the Supplemental FEIR should be made available for review at the New Bedford Public Library.[1]

K. Theoharides

April 2, 2021
Date

Kathleen A. Theoharides

[1] Requirements for hard copy distribution or mailings will be suspended during the Commonwealth's COVID-19 response, to the extent public facilities are closed. Please consult the MEPA website for further details on interim procedures during this emergency period: https://www.mass.gov/orgs/massachusetts-environmental-policy-act-office.

Comments received:

335 form letters opposed to the project beginning "This letter is to express opposition…"
74 form letters in support of the project beginning "Over the last three years…"
9 form letters opposed to the project beginning "Parallel Products of New England…"

02/26/2021 Ron Cabral
02/18/2021 Robert H. and Judith B. Ladino
03/08/2021 Sherry Hanlon
03/10/2021 Robert Michael Pittsley
03/11/2021 Diane Fine
03/11/2021 Sabine von Mering
03/12/2021 John Dufresne
03/17/2021 Representative Paul Schmid
03/18/2021 Carol Strupczewski
03/18/2021 Andrea Stone
03/18/2021 Representative Christopher Hendricks
03/19/2021 Senator Mark Montigny
03/22/2021 Elizabeth Saulnier
03/24/2021 Jacob Chin
03/24/2021 Karen Chin
03/26/2021 Linda M. Morad
03/26/2021 Brad Markey
03/26/2021 Wendy M. Graca
03/26/2021 Zeb Arruda
03/26/2021 Tracy L. Wallace
03/26/2021 Conservation Law Foundation/South Coast Neighbors United, Inc./Community Action Works
03/26/2021 Mark R. Reich, KP Law on behalf of:
Mayor Jon Mitchell, City of New Bedford
Senator Mark C. Montigny
Representative Antonio F.D. Cabral
Representative Christopher Hendricks
Representative Christopher Markey
Representative Paul A. Schmid III
Representative William M. Straus
City Council President Joseph P. Lopes
City Councillor Ian Abreu
City Councillor Derek Baptiste
City Councillor Naomi R.A. Carney
City Councillor Debora Coelho
City Councillor Hugh Dunn
City Councillor Maria E. Giesta
City Councillor Brian K. Gomes
City Councillor Scott J. Lima
City Councillor William Brad Markey
City Councillor Linda M. Morad
03/26/2021 Massachusetts Department of Environmental Protection (MassDEP)/Southeast Regional Office (SERO)

04/02/2021 Department of Energy Resources (DOER)

KAT/AJS/ajs

Example of 335 form letters received opposed to the project beginning "This letter is to express opposition..."

From:
To: Strysky, Alexander (EEA)
Subject: Comment Re: EEA No. 15990
Date: Thursday, April 1, 2021 10:36:59 PM

Alex Strysky ,

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Alex Strysky - EEA No. 15990
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Theoharides;

This letter is to express opposition to a project proposed by Parallel Products of New England (PPNE), to construct and operate a glass recycling and dirty Materials Recovery Facility (MRF), as well as a Municipal Solid Waste (MSW) processing facility and biosolids plant in the New Bedford Business Park.

The reasons for this opposition include the following:
* Over 400 trucks a day will be traveling on residential roads and side streets through a densely populated neighborhood. Aside from the emissions concerns, the highway infrastructure granting access to and egress from these roads was not constructed to accommodate this volume and magnitude of traffic and are already rated at “F”. Beyond the safety implications on these residents, we also expect back-ups, traffic hazards and undue wear, tear and damage to the roadways.
* The project brings increased environmental nuisances of noise and odors associated with the emissions from the 19 smoke stacks planned as part of the proposed construction and business operations. Further, the neighborhood and surrounding communities will be unwillingly exposed to chemical pollutants from organic and nonorganic waste, volatile organic compounds (VOCs) and (PFAS) associated with the operation.
* The nature of the project’s activities as well as its planned 24/7 operation all but guarantees a significant disruption to and devaluation of the residents’ quality of life.
* The project will negatively impact the property values in the surrounding neighborhood. Moreover, the proposed facility will be in very close proximity to a residential community.
* The proposed facility will place further burdens on and pose grave risks to New Bedford, a city already severely impacted by pollution. New Bedford has worked hard for years to remediate the environmental damage created by its industrial past.
* The proposed facility acts as a clear exploitation of an Environmental Justice Community.

* PPNE has a poor track record of being a “good neighbor” and has previously been caught dumping materials in a protected area on the site.
* PPNE claims that they will help solve the city’s “waste problems,” although they will be accepting waste from OTHER cities.
* PPNE surreptitiously calls their facility a “Green Energy Center” due to their proposed used of solar panels. However, they conveniently neglect to acknowledge the many aspects of the business that are everything but GREEN.
* The proposed facility is in direct contradiction to the goals of the Climate Action and Resilience Plan recently adopted by the City of New Bedford

For the health, safety, security, and well-being of the citizens of our communities, all elected and appointed officials and agencies in the Commonwealth of Massachusetts, should immediately take action to halt this proposed project in the City of New Bedford.

cc: Senator Mark Montigny
Senator Michael Rodrigues
Representative Paul Schmid, III
Representative Christopher Markey
Representative Christopher Hendricks
Representative Alan Silvia
Representative Antonio Cabral
Congressman William Keating
Mayor Jonathan Mitchell
Councilor Ian Abreau
Councilor Naomi Carney
Councilor Debora Coelho
Councilor Brian Gomes
Councilor Linda Morad
Councilor William Brad Markey
Councilor Maria Giesta
Councilor Hugh Dunn
Councilor Derek Baptiste
Councilor Scott Lima
Councilor Joseph Lopes
Damon Chaplin, Director of Health Department
Patricia L. Andrade, M.D., Board of Health
Sarah Morris, Board of Health
Dr. Craig Longo, Board of Health

The data contained in this letter can be found in the following sources:
FEIR: https://drive.google.com/file/d/1q9YBoOByzIIkWdAIRGwIoIIXSQ6zAQRU/view?usp=sharing
Letter from KP Law:
https://docs.google.com/document/d/1gcPH5mpM9scjY2nSgAuX27to7yoO-

TCbskXy9GBMcVc/edit?usp=sharing
Previous violation: http://s3.amazonaws.com/newbedford-ma/wp-content/uploads/sites/39/20191219202235/Parallel-Products-enf-ord-1.pdf
MOU with Brockton and Fall River: https://drive.google.com/file/d/10YtaJBpG_QAK_eYBGLmPaYniOtnD1xGT/view?usp=sharing
New Bedford Resilience Plan: https://kladashboard-clientsourcefiles.s3.amazonaws.com/New+Bedford/NB+Resilient+Plan+-+Final+3-20.pdf

New Bedford, Massachusetts MA

Example of 74 form letters received in support of the project beginning "Over the last three years..."

March 18, 2021

Secretary of Energy and Environmental Affairs
Attn: MEPA Office
EEA 15990
100 Cambridge Street
Suite 900
Boston, MA 02114

Dear Secretary Theoharides,

Over the last three years that Parallel Products has been operating on Duchaine, they have strived to be a good neighbor. They have always put the community at the forefront of their planning for their facility. Whether it's addressing issues that the city has raised or changing the building plans to better suit the community needs. I have driven by many times and the facility is always clean and well organized. They have done a great job restoring the old abandoned polaroid facility to a productive work environment that matches the industrial park. They have also provided a positive work environment for many of our community members and will increase that workforce in the future by creating the new South Coast Green Energy Center.

Parallel Products is always looking for ways to improve its facility to better serve our community. With the creation of the South Coast Green Energy Center, they will invest 50 million dollars to create a proper facility that does not impact the nearby neighbors. By collaborating with state regulators, scientists, and engineers, the new South Coast Green Energy Center will exceed the expectation and needs of the community. Due to the location, they have the ability to utilize the railroad system and reduce traffic coming in and out of the facility while meeting record number recycling levels. The South Coast Green Energy Center is a great example of Parallel Products keeping the community at the forefront of planning. They have taken neighbors' comments and concerns and changed their plans to ensure that they are using state of the art technology to make sure no noise, smells, and materials escape the center.

Parallel Products have continued to be transparent during this entire process. They have involved the community in every step. Whether that's with the meetings they held, comments they've accepted or open houses they've put on. They have made sure that the neighbors know exactly what is going on with the project and accepted any comments or concerns regarding the new center.

Parallel Products is committed to being a good community partner and has a history of investing in the New Bedford community, and will continue to do so. Not only is this project good for increasing sustainability in New Bedford, but it also helps stimulate New Bedford's economy. It will create at least 75 new jobs, which will generate an additional $2.6 million in wages for hourly workers. The project will also generate an estimated $1,000,000 in taxes. This money can go towards improving New Bedford. For example, increasing the funding to our first responders. We strongly urge MEPA and the local New Bedford agencies to approve the Parallel Products South Coast Green Energy Center.

Sincerely,

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Gail Stone 3/20/21

Signature: Gail Stone

Address: 68 Richmond Rd.
Assonet, MA 02702

Additional Comments:

My family and I drive Rt 140 all the time and the increased traffic will negatively impact us all.

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: CHUCK P STONE III MARCH 20, 2021

Signature: Chuck P Stone III

Address: 68 RICHMOND RD ASSONET MA 02702

Additional Comments:

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: ROBERT MCELROY 3-20-2021

Signature: [signature]

Address: 68 RICHMOND RD
ASSONET, MA 02702

Additional Comments:

MY SON GOES TO DAYCARE IN FREETOWN + WILL BE STARTING SCHOOL IN THE FALL. THIS DUMP WILL DEVASTATE THE ENVIORMENT.

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Ashley McElroy 3/20/2021

Signature: Ashley McElroy

Address: 68 Richmond Rd
Assonet, MA 02702

Additional Comments:
I'm a teacher & parent of the Freetown community and this dump will negatively impact the surrounding areas and Assonet.

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Sandra J. Lefever

Signature: Sandra J. Lefever

Address: 9 Tobey Lane
New Bedford, MA 02745

Additional Comments:

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Mark Lefevre 3/20/21

Signature: [signature]

Address: 9 Tobey Lane
New Bedford, MA 02745

Additional Comments:

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Mark Lefevre 3/20/21

Signature: [signature]

Address: 9 Tobey Lane
New Bedford, MA 02745

Additional Comments:

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Alan Berndt 3/20/2021

Signature: Alan Berndt

Address: 9 Tobey Lane,
New Bedford, MA

Additional Comments:

To Whom It May Concern,

Parallel Products of New England wants to build a massive sewage and trash plant in the Business Park, next to a residential community. Sludge and municipal solid waste (MSW) from other cities would be delivered 24 hours/day, 7 days/week via industrial trucks, amounting to approximately 400+ trips per day. According to the Conservation Law Foundation, MSW can contain dangerous substances, such as volatile organic compounds (VOCs), polychlorinated biphenyls (PCBs), heavy metals, radioactive materials, and pharmaceuticals, and these sites affect water quality, air quality, produce smoke & dust, and create pest infestations.

Parallel is also planning to build a rail system through their property to accommodate shipments of more waste materials. The odors, noise, pests and increased traffic in an already congested area caused by this facility will negatively impact the value of properties and lives, posing an unacceptable risk and nuisance to the local residents and surrounding communities.

The City of New Bedford has long suffered from numerous hazardous waste sites and its residents have born a large brunt of the health impacts as a result. The city is already the 6th most overburdened town in the Commonwealth of Massachusetts with Ecological Hazards. For the safety, security, and well-being of the citizens of our communities, we oppose this project in our city. It's time to start prioritizing people and the planet over pollution and profits.

For the reasons listed above, please consider this letter my formal declaration of opposition to the project. The potential health hazards, damage to our already failing infrastructure and destruction of the wetlands that should be protected should be reason enough.

Thank you,

Name & Date: Sarah Johnson

Signature:

Address: 4 Rebecca DR
Marion MA 02738

Additional Comments:

February 18,2021

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn. MEPA Office
~~Alex Strysky~~ EEA 15990
100 Cambridge St., suite 900
Boston, Ma.02114

Parallel Products of New England, LLC
FEIR EEA 15990, Jan. 24, 2021

To regulating agencies,

My wife and I are residences of a home since 1966 that is within 1000' of this proposed Municipal Solid Waste processing, glass classification, and sewage sludge drying plant. I have previously filed comments in opposition on 3-18-19, 12-3-19, 12-18-19 and 1-15-20, and offer additional comments on this pariah; an unneeded and nuisance facility, at this inappropriate residential location, adjacent to a stable, mainly single family community that is a harm and insult to its residences; also a trespass to the quality of life, character and environment of New Bedford.

Webster's dictionary says, fittingly, that Pariah is an outcast or reject. The proposed facility is just plain ethically wrong; usurping the sovereignty of the citizens of New Bedford to control and protect the development of their city without an attendant benefit.

The owner of the property, U.S. Liquids of Houston, Texas through its Subsidiary Parallel Products of Louisville, Kentucky and Parallel Products, LLC of New England was not invited by New Bedford. They acquired a portion of the property previously owned by Polaroid Corporation, now bankrupt. They initially proposed to expand their existing glass classification plant and relocate it to this property. Shortly afterward we learned their plans through PPL's filing of and Expanded Environmental Notification Form in March of 2019, which now outlined a much expanded scope for this site that included; reprocessing MSW to capture the recyclables and plastic, drying sewage sludge to be sold for land application of agriculture; and, to accept these waste streams from outside the area from unnamed sources and locations, and to then rail or truck them offsite. DUH?? Surprise!! The proposed facility has now become a regional waste processor. Nice Neighbor!

The city of New Bedford has no plans to utilize this proposed now regional facility, as both the MSW and sewage sludge is land-filled locally. It appears that the business plan of PPL is based on the expectation that other cities have, or will run out of options to dispose their waste streams; enabling them to charge ever higher tipping fees; and by processing these waste streams, PPL will be responsible to ultimately also dispose them to an unnamed out of State location.

Seems to me that there are too many unknowns or undisclosed information that is not part of the FEIR. PPL in addition to becoming a processor of waste now has the responsibility of disposing which is the same problem that other waste producers have, since they are not disposing any received waste streams at their site, and must locate licensed disposal locations to accept their non-sellable wastes. Of course the residue and emissions of the processing operations, some of which are toxic, are left on the site, able to enter the sewer, air and wetlands of our residential community.

If 75 people will work at the plant in around the clock operations, at a maximum that is less than $0.5M in taxes to the city, assuming that they all own houses in the city; a small benefit. BAD DEAL for the citizens of New Bedford!

ENVIRONMENTAL

Many of the environmental impacts that were assessed are incomplete, not defined or not meeting the requirements:

First, the most important criteria, setback from residences has been subverted: 310CMR16.40 requires 500 feet. To date the owner and the reviewing agencies have not documented a property boundary of their site to the property boundary to the adjacent residences as evidence in their filings of meeting this requirement. When this criteria is applied it is clear that about 2 dozen houses are within the 500' setback violation. As I have every right to utilize all the area on my property, so does PPL. Why should it matter where upon the site the activity takes place. The setback requirement is the only environmental restraint that is factual, not subject to estimates, assumptions and calculations. It is easily confirmed by maps and or surveys, which have not been demonstrated in any of the documents submitted for review.

Second, I have not seen a requirement imposed on the unnamed suppliers of the waste streams that specify what will or will not be accepted. Will PPL accept any and all of it? If not, will any inspections be done before it is discharged into the processing facility? And how can you predict or calculate what the output waste and nuisance streams will be? And how can you be in compliance with the environmental requirements should egregious toxic PFAS or industrial wastes be mixed in with the expected waste streams supplied?

Third, concerning this same issue, are the nuisance residual unprocessed waste streams and emissions produced at the site, going to be continuously monitored at the adjacent residences to insure compliance? With enforcement provisions to allow stoppage of processing operations upon non compliance until the occurrence has been remedied that caused it?

Fourth, consider odor; a very subjective offensive characteristic which is always present with decaying organic and sewage waste. The longer it decays, the stronger the offensive gaseous odor. The analysis of the gaseous emissions from the sewage sludge drying operation, is based on an assumed ratio of atmospheric air that will dilute what is emitted from the stacks to produce a reduction of the perception of odor at the nearby residences. However, the proposed elevation of 120' for the top of the stacks of the waste sludge drying building is about the same elevation as the first floor of the adjacent residences on the east. In other words the site is located in a bowl. It is questionable that these emissions will achieve the assumed dilution effect as the stack discharge elevation is not high enough to promote good mixing with the atmosphere, thereby compromising the expected results. Predominately stronger south to west winds in the summer months will drive these emissions with potential offensive odors toward the residences downstream on the northeast and east only a few hundred feet from the site when people are enjoying their patios, barbecues, decks and pools.

Fifth, also consider that PPL has no other sewage sludge waste drying facility in operation at their other locations. How confident can we be of the ability of this proposed facility to meet the requirements imposed upon it? Is it likely that PPL will sell or lease that portion of the project to another company to operate and mange? If so, to whom does the City or State appeal when the plant fails to perform as anticipated? And who has the responsibility to insure financially, that the City of New Bedford is not left with a vacant mess to clean up, if the project fails to meet requirements or proves to be uneconomic and operation is abandoned?

New Bedford does have the unfortunate remembrance of these very issues. Witness the PCB contamination of the harbor and the toxic waste dump, now a solar farm, at Sullivan's ledge from industries that no longer operate.

POLITICAL AND LEGAL

Beyond the environmental criteria that is being analyzed in the FEIR, there are political and legal issues that must be considered. The people are sovereign entities given inalienable rights by their Creator of life, liberty and pursuit of happiness---and that governments are established to protect those rights. One of those rights in the U.S. Constitution is to petition the government for a redress of grievances. Also the Massachusetts Constitution in Articles IV and V says that the people have the sovereign right to govern themselves….the power resides in the people who authorize the legislative, executive and Judicial magistrates as substitute agents which are accountable to the people at all times. And Article VII says that Government is instituted for the common good of the people, not the private interests of any one man, family or class.

Therefore it is obvious that the peoples' rights, in the case of this proposed waste processing facility in a residential neighborhood, has not been served or protected; nor has the common good been demonstrated. Instead, the private entrepreneurial interest of a powerful corporation seeks to override the existing tranquility of the social compact and covenant that the citizens of New Bedford now have, and will be adversely affected by this proposed waste processing facility. As previously expressed by our Mayor Jon Mitchell, and by hundreds of residences in the area affected, we resolve to pursue our rights to prevent any further development leading to licensing, construction and operation of this proposed waste processing facility on Environmental, Political and Legal grounds.

We admonish. the EEA, as an arm of the Executive branch of Massachusetts, to prevent all further advancement of the licensing of this plant subject to an entirely new proposal from the petitioner that satisfy' s the common good, preserves and protects the tranquility and safety of the sovereign people of New Bedford.

Finally, consider the gravity and impact of a decision to allow a nuisance waste processing facility, adjacent to a multi-hundred residential community, located in a swampy wetland to proceed. Long after the elected officials, the appointed administrators and the company executives move on, our community and their occupants will receive the legacy of a regrettable folly. It can and should be avoided by farsighted and courageous leaders who value people's rights over profit.

By copy of this letter, we address our concerns to our Mayor, City Council and Legislators with the request to initiate the necessary action on their part to protect our community from this pariah project and pledge our cooperation in every way we are able.

Longtime New Bedford residents,

Robert H. and Judith B. Ladino

Robert H. and Judith B. Ladino; bobladino@comcast.net

cc; Mayor Jon Mitchell, City hall, 133 William St., New Bedford, Ma.02740
Brad Markey Ward 1 Councilor, " "
Joseph P. Lopes, Chairman, New Bedford City Council " "
Mark Montigny, State Senate, 2nd district, 24 Beacon St. Rm. 312c, Boston , Ma 02133
Paul Schmidt, State Representative 8th district, 24 Beacon St.,Boston, Ma.02133
Tracy Wallace, SCNU, CAPPP COMMITTEE 75 Stephanie Place, New Bedford, Ma. 02745

From: Ron Cabral

To: cstrupczewski@verizon.net; Brad.Markey@newbedford-ma.gov; Jamie.Ponte@newbedford-ma.gov; Damon.Chaplin@newbedford-ma.gov

Cc: wallacetracy99@gmail.com; angelo89rossi@gmail.com; athenatetrault@yahoo.com; auracorr@aol.com; becca.kurie@gmail.com; bobladino@comcast.net; bookwithrosa@yahoo.com; bricketth@aol.com; bsmrc@aol.com; c.kelley3917@gmail.com; cah3156@yahoo.com; camaral1789@gmail.com; carolgorman3830@aol.com; cbostiguy@gmail.com; cfkennedy1956@gmail.com; cidaliamt@hotmail.com; davealves@hotmail.com; deannakelly07@comcast.net; debhop2397@aol.com; dletendre@middleboro.k12.ma.us; dmpeko@comcast.net; Donnamarie1960@comcast.net; dotdjr@aol.com; eraposa68@gmail.com; fernandesrose83@yahoo.com; fmbelmiro@comcast.net; garyjsantos@msn.com; gborden83@comcast.net; gertie456@comcast.net; gmap5@aol.com; htavares1@comcast.net; hughcd33@gmail.com; irenedupreygutierrez@gmail.com; izzyb7@comcast.net; Jacobandcolin@aol.com; jaimechris23@comcast.net; jdsnrs@comcast.net; jeanmotyl@hotmail.com; Jmarques1980@yahoo.com; jpspickering@comcast.net; jrod11758@gmail.com; karen.a.chin@gmail.com; kennethrap@aol.com; kensouthcoast@gmail.com; kfg57@comcast.net; kqqllss@icloud.com; ks7585@aol.com; ldyred1@comcast.net; lenny.catojo@yahoo.com; leo1choquette@gmail.com; magenaguiar@yahoo.com; martinsward2@aol.com; medeirosstephen@yahoo.com; melissab8122@yahoo.com; melissacosta4NB@gmail.com; MIMIDACOSTA77@gmail.com; mjmchugh1@comcast.net; msc.barbosa91@gmail.com; nfeeney123@gmail.com; niemczyk5282@gmail.com; nsbulhoes00@hotmail.com; ostiguyml@comcast.net; pattycake159@msn.com; piostiguy@gmail.com; prptaxservice@yahoo.com; regor100@comcast.net; ricardorosa1973@yahoo.com; ricof4@comcast.net; mperone1@verizon.net; cmiller@uumassaction.org; wendygraca@aol.com; rogercabral@comcast.net; bdbew@yahoo.com; claire@toxicsaction.org; margaretjohn1015@aol.com; clsouza@comcast.net; lpswib@comcast.net; lbtorres@comcast.net; ritabee37@comcast.net; ritalapre@gmail.com; rjc1953@aol.com; RNR724@comcast.net; robert.schard@gmail.com; rocpix@yahoo.com; ronaldfortier13@gmail.com; s_koska@yahoo.com; sab.cndavis@gmail.com; samanthatripp90@gmail.com; sandrasylvia21@yahoo.com; sanribs@comcast.net; shelley0228@aol.com; snoogan1187@hotmail.com; spenacho@msn.com; stack419@gmail.com; tenacioussm@comcast.net; thwynne@verizon.net; wendyandrelaw@gmail.com; ldakin@comcast.net; wlima881@comcast.net; mulroyr@gmail.com; marlenepollock929@gmail.com; Ian.Abreu@newbedford-ma.gov; Naomi.Carney@newbedford-ma.gov; Debora.Coelho@newbedford-ma.gov; Hugh.Dunn@newbedford-ma.gov; Maria.Giesta@newbedford-ma.gov; Brian.Gomes@newbedford-ma.gov; Scott.Lima@newbedford-ma.gov; Joseph.Lopes@newbedford-ma.gov; Linda.Morad@newbedford-ma.gov; Dana.Rebeiro@newbedford-ma.gov; mrego@newbedfordschools.org; Jonathan.Mitchell@newbedford-ma.gov; Antonio.Cabral@mahouse.gov; Chris.Hendricks@mahouse.gov; Christopher.Markey@mahouse.gov; Paul.Schmid@mahouse.gov; William.Straus@mahouse.gov; Michael.Moynihan@masenate.gov; Mark.Montigny@masenate.gov; jspillane@s-t.com; zzzBuckley, Deirdre (EEA); Wixon, Josephine (EEA); Canaday, Anne (EEA); Patel, Purvi (EEA); Czepiga, Page (EEA); Strysky, Alexander (EEA); Flaherty, Erin (EEA); MEPA (EEA)

Subject: Re: Water Meeting ~ Parallel ~ Pumping Station ~ The Zoning Board of Appeals

Date: Friday, February 26, 2021 4:30:33 PM

Carol mentions, "If our faucets are being clogged because of the chemicals inserted into the water purification systems then everyone else in the city of New Bedford their faucets will be getting just as clogged as our faucets and running slowly."

If the chemicals are being inserted into the water purification system and it is the cause of our faucets being clogged.

WHAT ARE THE CHEMICALS CAUSING TO OUR BODIES????

IS IT POSSIBLE THAT THE CHEMICALS COULD CAUSE CANCER IN OUR BODIES, CAN THESE CHEMICALS BE CAUSING OTHER MEDICAL ISSUES IN OUR BODIES?

I AM SURE IT MAY BE SAFE BUTTT?

THIS NEEDS TO BE ADDRESSED
by Jamie Ponte and Damon Chaplin

The City Needs another Pumping Station here in the Far North End, What is not Needed is another STUDY, Another Excuse. Seems that the City of New Bedford is throwing the Far North End Residents Under the Bus, and we pay High Taxes here in the Far North End, the City needs to get off of their Butts.

Between the Chemicals in our WATER, (it is scary) and RODENTS that could possibly, and eventually come from PARALLEL to our neighborhoods, it is a concern, the Citizen's in our area need to be addressed by the City and Parallel.

IF RODENTS DID COME INTO OUR NEIGHBORHOODS COULD THEY BE CARRYING DISEASES?
Parallel needs to address what they would be doing in preventing RODENTS coming into our Neighborhoods.

The City and State needs to explain what they would be doing in preventing RODENTS from coming into our Neighborhoods.

Parallel will be getting a Railroad Line Spur into their Back Yard, why can't the Residents of Pine Hill Acres, and Briarwood get Sidewalks and Curbing, why can't the Pulaski School have a Second Entrance, why can't we have another Pumping Station here in the Far North End?

Just this morning getting out of Briarwood was a hassle because of the traffic, plus I am now seeing more 18 wheelers coming off route 140 Exit 7, going into the Industrial Park as well as 18 Wheelers coming out of the Industrial Park.

I realize they are not all coming from Parallel or going to Parallel right now, but wait in another year or two and see what the *traffic* situation of 18 wheelers will be coming off of EXIT 7.

This E-mail is going out to over 100 City Residents, we need more names, the City needs to replace the members on certain City Boards who will listen to the

People of our City, and who will have their hearts for the City Residents, and Realize how Parallel will be affecting the Residents of the area.

The Zoning Board of Appeals denied a resident's appeal for the city's planning board to revisit its approval of Parallel Products site expansion. The Zoning Board of Appeals should schedule another hearing, the Mayor and City Council who supposedly are against Parallel should request another Hearing, and it should be done Quickly, Correctly, and Honestly.

Hats off to City Councilors Linda Morad, Brad Markey, Naomi Carney, Maria Giesta and State Rep. Paul Schmid. Where were the other City Councilors, the Mayor, and our State Elected Officials, Guess they all must be with Charlie on the Boston MTA beneath the Streets of Boston.

Clerk Stephen Brown and Bob Schilling of the Zoning Board of Appeals were the two "yes" votes to send the approval back to the planning board for review. Chair Laura Parrish, Vice Chair Celeste Paleologos and Allen Decker of the Zoning Board of Appeals voted "no" and denied the appeal.

Mr. Mayor there needs to be a change with members of your boards, you should get involved with the Citizens Against Parallel.

Respectfully,

Ron R. Cabral
Briarwood Resident
New Bedford, MA

-----Original Message-----
From: cstrupczewski@verizon.net
To: Brad.Markey@newbedford-ma.gov <Brad.Markey@newbedford-ma.gov>
Cc: RRCRT@aol.com <RRCRT@aol.com>; lbtorres@comcast.net <lbtorres@comcast.net>; lpswib@comcast.net <lpswib@comcast.net>; karen.a.chin@gmail.com <karen.a.chin@gmail.com>
Sent: Fri, Feb 26, 2021 8:20 am
Subject: Re: Water meeting.

Good morning Brad.

Last week I sent you an email to which you haven't replied regarding the meeting with Ponte. (see below) Of course I had also sent an email to mitchell who must, along with everyone in his office, must be blind, can't read, or reply back to a taxpayer in the city. How sad is that!

There are no ifs, ands, or buts about it that this section of the city needs an additional pumping station. Here is a question, if I call DPI, Water Department for them to check the pressure in my home, will I be billed? If so, why as it should be part of their job. If our water is so clean as Ponte kept stressing, why are individuals, quoting Pointe, bringing sections of pipes to him to show him how clogged the pipe is because of the water?

Mr. Ponte also stated that it might be the screens in the mixing valves, well let's thinks about that! First of all, how will a person check the mixing valve for the shower which he stated that is located for the majority of the time behind a wall? Do you think that individuals will be taking down tile and wallboard to get at those mixing valves? I rather doubt it. Sure, people can take off the aerator to clear out the sediment but rather doubt that walls will be taken apart. If our faucet are being clogged because of the chemicals inserted into the water purification systems then everyone else in the city of New Bedford faucets will be getting just as clogged as our faucets and running slowly.

Bottom line, we need another pumping station up here in the Far North End to accommodate all the building and the excessive use of water by parallel products for the cleaning of all those bottles, cans, and plastics which is happening 24/7. Hey, Ponte even admitted that this section has had low pressure for years.

Looking forward to your answers. Don't forget the below email answers.

Carol

-----Original Message-----
From: cstrupczewski@verizon.net

To: Brad.Markey@newbedford-ma.gov
Cc: RRCRT@aol.com; lbtorres@comcast.net
Sent: Tue, Feb 23, 2021 3:07 pm
Subject: Water meeting.

Brad here a few other things that came to mind.
1. Why is it that everyone water woes all happened during the same time frame?
2. Seeing that Mr. Ponte attributed the problem to the filter being laden with partials, are other parts of the city residents complaining to the water department about the slow water flow out of their faucets?
3. With all these chemicals clogging up the filters in the faucets, what might these chemicals be doing to our bodies?
4. Why is he dodging this major issue! Seems like the City really is writing off the Far North End where we pay high taxes.

Excuses don't solve problems they perpetuate them. Look at all the new homes being built near wetlands and the unaware new owners don't realize that, if their land is abutting those wetlands, they lose the use of a part of their land.

From: Irene
To: Strysky, Alexander (EEA)
Subject: Parallel Products
Date: Sunday, February 28, 2021 1:31:48 PM

I guess “quality of life” only matters when it involves the powers that be. Unfortunately, I am not one among the chosen few since this proposed toxic waste site will sit a stone’s throw across Phillips Road from my home. No, I am not rich, famous or politically connected but I do vote and I do pay taxes (which won’t decrease when our property values do and I am extremely unhappy.

I am an 80 year old retired teacher not looking for anything more than safe, quiet surroundings to spend my final years – which I will not get with the traffic, pollution, noise and destruction of wet lands, etc., that Parallel Products will bring to our neighborhood.

I appreciate the need for more jobs so I am not asking that PP be denied. I am asking, however, that it be relocated to your housing complex so that you may enjoy the full benefits pf its expansion.

Irene Duprey-Gutierrez
1940 Phillips Rd. #14
New Bedford, Ma. 02745
(508)991-2598
Sent from Mail for Windows 10

From: Ron Cabral

To: cstrupczewski@verizon.net; wallacetracy99@gmail.com; angelo89rossi@gmail.com; athenatetrault@yahoo.com; auracorr@aol.com; becca.kurie@gmail.com; bobladino@comcast.net; bookwithrosa@yahoo.com; bricketth@aol.com; bsmrc@aol.com; c.kelley3917@gmail.com; cah3156@yahoo.com; camaral1789@gmail.com; carolgorman3830@aol.com; cbostiguy@gmail.com; cfkennedy1956@gmail.com; cidaliamt@hotmail.com; davealves@hotmail.com; deannakelly07@comcast.net; debhop2397@aol.com; dletendre@middleboro.k12.ma.us; dmpeko@comcast.net; Donnamarie1960@comcast.net; dotdjr@aol.com; eraposa68@gmail.com; fernandesrose83@yahoo.com; fmbelmiro@comcast.net; garyjsantos@msn.com; gborden83@comcast.net; gertie456@comcast.net; gmap5@aol.com; htavares1@comcast.net; hughcd33@gmail.com; irenedupreygutierrez@gmail.com; izzyb7@comcast.net; Jacobandcolin@aol.com; jaimechris23@comcast.net; jdsnrs@comcast.net; jeanmotyl@hotmail.com; jpspickering@comcast.net; jrod11758@gmail.com; karen.a.chin@gmail.com; kennethrap@aol.com; kensouthcoast@gmail.com; kfg57@comcast.net; kqqllss@icloud.com; ks7585@aol.com; ldyred1@comcast.net; lenny.catojo@yahoo.com; leo1choquette@gmail.com; magenaguiar@yahoo.com; martinsward2@aol.com; medeirosstephen@yahoo.com; melissab8122@yahoo.com; melissacosta4NB@gmail.com; MIMIDACOSTA77@gmail.com; mjmchugh1@comcast.net; msc.barbosa91@gmail.com; niemczyk5282@gmail.com; nsbulhoes00@hotmail.com; ostiguyml@comcast.net; pattycake159@msn.com; piostiguy@gmail.com; prptaxservice@yahoo.com; regor100@comcast.net; ricof4@comcast.net; mperone1@verizon.net; cmiller@uumassaction.org; wendygraca@aol.com; rogercabral@comcast.net; bdbew@yahoo.com; claire@toxicsaction.org; margaretjohn1015@aol.com; clsouza@comcast.net; lpswib@comcast.net; lbtorres@comcast.net; ritabee37@comcast.net; ritalapre@gmail.com; rjc1953@aol.com; RNR724@comcast.net; robert.schard@gmail.com; rocpix@yahoo.com; ronaldfortier13@gmail.com; s_koska@yahoo.com; sab.cndavis@gmail.com; samanthatripp90@gmail.com; sandrasylvia21@yahoo.com; sanribs@comcast.net; shelley0228@aol.com; snoogan1187@hotmail.com; spenacho@msn.com; stack419@gmail.com; tenacioussm@comcast.net; thwynne@verizon.net; wendyandrelaw@gmail.com; ldakin@comcast.net; wlima881@comcast.net; mulroyr@gmail.com

Cc: zzzBuckley, Deirdre (EEA); Wixon, Josephine (EEA); Canaday, Anne (EEA); Patel, Purvi (EEA); Czepiga, Page (EEA); Strysky, Alexander (EEA); Flaherty, Erin (EEA); MEPA (EEA); Ian.Abreu@newbedford-ma.gov; Naomi.Carney@newbedford-ma.gov; Debora.Coelho@newbedford-ma.gov; Hugh.Dunn@newbedford-ma.gov; Maria.Giesta@newbedford-ma.gov; Brian.Gomes@newbedford-ma.gov; Scott.Lima@newbedford-ma.gov; Joseph.Lopes@newbedford-ma.gov; Brad.Markey@newbedford-ma.gov; Linda.Morad@newbedford-ma.gov; Dana.Rebeiro@newbedford-ma.gov; mrego@newbedfordschools.org; Jonathan.Mitchell@newbedford-ma.gov; Superintendent@newbedfordschools.org; cdawicki@newbedfordschools.org; brucejoliveira@newbedfordschools.org; jlivramento@newbedfordschools.org; ccotter1125@me.com; joshdamaral@gmail.com; joliveira@newbedfordschools.org; Antonio.Cabral@mahouse.gov; Chris.Hendricks@mahouse.gov; Christopher.Markey@mahouse.gov; Paul.Schmid@mahouse.gov; William.Straus@mahouse.gov; Michael.Moynihan@masenate.gov; Mark.Montigny@masenate.gov; jspillane@s-t.com

Subject: Re: Invitation to New Bedford Community Forum Re: Parallel Products Project updates

Date: Saturday, March 6, 2021 11:41:29 AM

Hi Carol,

I hear you, same here especially with my neuropathy in my feet, hands, and yes problems with my spine especially the problem I incurred with my leg after spine surgery.

Hopefully there are some younger folks who will give Mike a Hand as we have to fight Parallel, and those in certain positions that might be friends with certain ones at Parallel..

Yesterday attempting to drive out of Briarwood seeing the school buses coming off of the exit 7 ramp onto Braley road I could not help but think, God Forbid a 18 wheeler coming down the ramp brakes all of a sudden are not working rear ends into a school bus, that school bus

rear ends into another school bus in front of it.

That school bus rear ends into a vehicle in front of it, bad accident, bad scene, school children injured, other injuries in the vehicles all because of a 18 wheeler bringing garbage, waste to Parallel from other cities or states.

I say this because it could happen, the ones to blame would be those who approved the permits, those in office in the City and State giving the go ahead for Parallel to operate bringing rodents, and smell to the local neighborhood, a neighborhood that pays high taxes.

Our City should not have voted for a Mayor to serve 4 years, our city residents should stand up and do something about the Mayor being appointed for 4 years, our City should do something about our City and State officials when it comes voting time, sadly people forget.

Can you imagine Carol this E-mail being sent to all the individuals listed if they would do something, all got together and voiced their opinion.

Can you imagine Parallel getting rail tracks into their property free of charge thanks to the State yet the City won't build a second entrance to the Pulaski School. What is wrong with this picture?

There is no Traffic enforcement at the Pulaski School on Braley Road, vehicles parked illegally, drivers not obeying the NO PARKING SIGNS. What is wrong with this picture.

Promises were made by certain City Officials that this was going to be taken care of signs would be installed, Traffic enforcement would be done, OH yes it was Election Time back then. OH yes it is Election Time this year.

Ron R. Cabral

-----Original Message-----
From: cstrupczewski@verizon.net

To: rrcrt@aol.com;
Sent: Sat, Mar 6, 2021 10:30 am
Subject: Re: Invitation to New Bedford Community Forum Re: Parallel Products Project updates

Thanks Ron for sharing this info. Sorry but I can no longer go door-to-door as I once did because of my bad knees and hips. It would be nice if others younger in the group could help Mike.

From: Czepiga, Page (EEA) on behalf of MEPA (EEA)
To: Strysky, Alexander (EEA)
Subject: Fw: Attn: MEPA Office Alex Strysky - EEA No. 15990 - Questions regarding
Date: Friday, March 12, 2021 2:44:14 PM

From: John Dufresne <johnvdufresne@gmail.com>
Sent: Friday, March 12, 2021 9:12 AM
To: MEPA (EEA) <mepa@mass.gov>
Subject: Attn: MEPA Office Alex Strysky - EEA No. 15990 - Questions regarding

Dear Secretary Theoharides; This letter is to express opposition to a project proposed by Parallel Products of New England (PPNE), to construct and operate a glass recycling and dirty Materials Recovery Facility (MRF), as well as a Municipal Solid Waste (MSW) processing facility and biosolids plant in the New Bedford Business Park.

Can you please explain how the processing of dirty Materials Recovery Facility (MRF) is an expansion of Parallel Products sustainability industry, the ethanol industry and in green energy production?

What in this proposed facility is making sustainable green energy products from the dirty materials?

Thank you very much! Stay safe!
John Dufresne
42 Malbone Street
Lakeville, MA 02347

From: Czepiga, Page (EEA) on behalf of MEPA (EEA)
To: Strysky, Alexander (EEA)
Subject: Fw: Attn: MEPA Office Alex Strysky - EEA No. 15990 - questions regarding
Date: Friday, March 12, 2021 2:44:56 PM

From: John Dufresne <johnvdufresne@gmail.com>
Sent: Friday, March 12, 2021 9:20 AM
To: MEPA (EEA) <mepa@mass.gov>
Subject: Attn: MEPA Office Alex Strysky - EEA No. 15990 - questions regarding

Can you explain where the products of this facility are stored, sent and delivered?

Is it safe for the air and water quality of the citizens of New Bedford and the area around it?

Is there a report by experts that confirms that the proposed facility will not harm the air and water quality of the citizens of New Bedford and the area around it - by comparison with this type of facility somewhere else in the United States?

Is this report accessible to the public? If so, then where can I obtain this?

Thank you very much! Stay safe!
John Dufresne
42 Malbone Street
Lakeville, MA 02347

The Commonwealth of Massachusetts
MASSACHUSETTS HOUSE OF REPRESENTATIVES
STATE HOUSE BOSTON, MA 02133

REPRESENTATIVE PAUL A SCHMID III
8th Bristol District
State House, Room 466
Boston, MA 02133

Jt. Committee on Ways and Means
Tel: 617-722-2017
Paul.Schmid@mahouse.gov

Vice-Chair, Jt. Committee on Cannabis Policy
House Committee on Ways and Means
Jt. Committee on Public Health
Jt. Committee on State Administration and Regulatory Oversight

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
**sent via electronic mail only*

March 17, 2020

Dear Secretary Theoharides,

I write to you today regarding Parallel Products' (100 Duchaine Boulevard, New Bedford, 02745) Final Environmental Impact Report (FEIR) with the Massachusetts Environmental Policy Act Office (MEPA).

Residents in the area contact my office consistently, concerned for the negative impact this facility may have on their neighborhood and daily lives. Throughout this entire process our office has not seen a change in public attitude and many concerns remain sufficiently unaddressed.

Concerns such as increased traffic and roadway congestion, as well as unpleasant odor or noise pale in comparison to the fear of depreciated home values. For many, their home is their primary asset and the prospect of home values decreasing, even minimally, has caused many to question their financial future in this difficult economic climate.

It is clear to my office, the community does not wish for this project to continue for, at this point, we are not equipped to understand what if any, affects operations may have on residents. For this reason, I do not support the expansion of Parallel Products at present.

If you have any additional question, please do not hesitate to contact my office.

Sincerely,

Paul Schmid

PAUL SCHMID
State Representative
8th Bristol

From: Andrea Stone
To: Strysky, Alexander (EEA)
Subject: MEPA Office- EEA No. 15990
Date: Thursday, March 18, 2021 8:28:31 PM

Dear Alex Strysky,

I am writing this email in opposition to a project proposed by Parallel Products of New England, to construct a facility in the New Bedford Business Park one mile from my home. I'm sure you've received emails and calls from people such as myself-- individuals worried about how this enormous facility is going to affect us and our families personally. I just want to start by saying despite COVID and the daily struggles we've all endured, it has been one of the best years of my life. I had my first child, and get to raise him around Sassaquin Pond as I've always dreamt of. I'm not sure if you are aware of Sassaquin Pond and the tiny, yet spirited community we have built over the years. It might just be a dot on a map to you, but to many of us it's special.

Question #1: What research has been done (and if so, what were the results) to determine the effects that municipal solid waste (MSW- that can contain dangerous substances, such as volatile organic compounds, polychlorinated biphenyls, heavy metals, radioactive materials, and pharmaceuticals) will have on Sassaquin Pond, located one mile from this proposed site? The New Bedford Environmental Affairs Committee gave Sassaquin Pond a Sensitive Environmental Area Designation back in 2012 to try and protect the water quality of the pond.

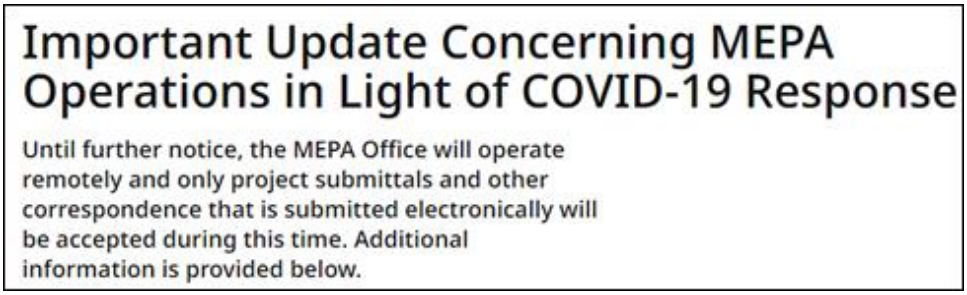
Question #2: Does MEPA have to consider protected lands, wetlands, and designated sensitive areas when making the ultimate decision on whether to approve this proposed project?

My third question is, how would you feel if 19 smoke stacks spewing out chemical pollutants was 0.8 miles from your child's elementary school? Casimir Pulaski Elementary School is 0.8 miles from the business park. I'd really like to know how/why a project such as this is allowed to take place in residential areas, near daycares, near an elementary school?

Question #4, What research has been done to prove that these pollutants will not enter the HVAC systems of Casimir Pulaski Elementary School, located less than one mile from this proposed facility? Additionally, in an article produced by the EPA on www.epa.gov the article titled "Report: EPA Unable to Assess the Impact of Hundreds of Unregulated Pollutants in Land-Applied Biosolids on Human Health and the Environment", Report # 19-P-0002, the author states, "The EPA identified 352 pollutants in biosolids but cannot yet consider these pollutants for further regulation due to either a lack of data or risk assessment tools. Pollutants found in biosolids can include pharmaceuticals, steroids, and flame retardants" (2018). So the pollutants ARE there, but because of a lack of data, we are just supposed to deal with it?

Question #5: How can a project such as this be approved when the roadways in the City of New Bedford are already rated an "F"?

Question #6: How can this project get pushed through different phases during a global pandemic? The mailings we received were nondescript and vague, definitely not something your average citizen would understand. We were also supposed to attend in-person meetings to voice our opinions? This entire process has felt predatory and lacking any sort of due-diligence. So, while the MEPA office is working from home, we are supposed to expose ourselves to gain information? How are the citizens supposed to effectively organize our efforts to spread knowledge about this facility when people are afraid to leave their homes?



Now, moving on to the topic of environmental injustices in minority communities. The City of New Bedford is rated the 6th most overburdened city in the state of Massachusetts in consideration of ecological hazards. The city of New Bedford and the EPA is still mitigating and monitoring the PCBs in New Bedford Harbor from decades ago. So, no matter the efforts of the citizens of New Bedford to restore, revitalize, and improve our city, we are just supposed to continue to be a dump for hazardous waste?

According to the Massachusetts EJ Policy, this proposed facility will be located in and around a predominantly minority community.

Question #7: Does MEPA have to use explicit consideration of disproportionate impact on low income communities and communities of color?

Question #8: Does MEPA decline projects that will contribute more pollution to already overburdened towns and cities?

Question #9: Does MEPA use the "precautionary principle" when addressing and analyzing potential environmental issues in overburdened communities? "The precautionary principle says that if there is a strong possibility of harm (instead of a scientifically proven certainty of harm) to human health or the environment from a substance or activity, precautionary measures should be taken" (Environmental Health Perspectives).

Question #10: Does MEPA offer increased protections to overburdened communities?

Question #11: Does MEPA consider environmental racism when making decisions?

I hope that some of these questions get answered, and I want to thank you for taking the time to read my letter. I'm frustrated that the City of New Bedford is being preyed upon because of income, race, and class based biases. I grew up in a small, affluent community and I KNOW a facility such as this would never be built there. It's simply unjust and corrupt.

You should explicitly deny the approval of this facility based on the disproportionate impact on low income communities and communities of color. You should deny the approval of this facility because of the close proximity to residential communities, daycares, and elementary schools. You should deny the approval of this facility to shield the wetlands and sensitive environmental areas that we, the citizens of this area are striving to protect.

Please reach out to me with any questions, comments, or clarifications.

Thank you,

Andrea Stone

AndreaStone12@gmail.com

1123 Sassaquin Ave.

New Bedford, MA 02745

alexander.strysky@mass.gov

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Alex Strysky - EEA No. 15990
100 Cambridge Street,

EEA No. 15990

Once again I am writing requesting the that your agency DENY the approval of Parallel Product of New England located in New Bedford, Massachusetts 02745 request to have Phase 2 granted. There are a number of reasons for my objections:

- Parallel is located close to a hundreds of residential homes, more than 200 in Pine Hill and at least 12 homes bordering its own property with just a split rail fence and bales of hay separating Parallel's land from those 12 homeowners land.
- Parallel is operating 24/7 daily and noise is occurring throughout the evening—see attached video from a homeowner's home on Ridgeline in Pine Hill after 11 p.m.
- Truck will be transporting raw materials to Parallel throughout the day and perhaps the evening via highways as well as, possible city streets. What happens if there is an accident and the raw materials spills onto the streets impacting homeowners' property and public lands? Who will be responsible for the major cleanup?
- Parallel is surrounded by wetlands. Again, what impact will occur on the wetlands if an accident(s) happen(s)?
- Parallel is planning on having side trail tracks put in from the main rail line to their facility. Again, what happens if the rail cars turn over and spills materials into the wetlands?
- Will the rail cars be bringing in raw materials to be processed and from where?
- Will, seeing that the company is operating 24/7, these rail cars be filled during the evening or wee hours of the morning? Presently, Parallel Products is making loud noise with trucks backing up after 11 p.m. Right now it is still the winter season and windows are closed so what will it be like in the summertime when windows are open? Remember, there are about 12 houses bordering Parallel's land with just a split rail fence and bales of hay.
- It is predicted that there will be approximately 90 trucks entering and exiting the company many of which are coming from who knows where. There are hundreds of children going to Pine Hill Park located on Phillips Road a route that some of these trucks might use—disaster waiting to occur!
- Not far from Pine Hill which is a big development within visual view of Parallel Products, there are two other large housing communities off of Phillips Road, a condo unit, and apartment complexes. There are thousands of people living in close proximity to this company. Parallel is NOT located in the inner part of the business park.
- Parallel proposes erecting, I believe, 19 stacks 70 feet high for, I believe, the processing of bio-solids. What toxins will be emitted into the air from this process? How will that impact our air quality? What testing will be done and when?

- Water use and sewage from the processing of materials. Presently, we residents, in the Far North End of New Bedford where Parallel is located, are experiencing extremely low water pressure which happened during this summer when the company, in my opinion, began full operations here. How much water is the company consuming? How will this impact the pressure in the fire hydrants? There are thousands of homes in this section of the city as well as two nursing homes, a hospital, and two elementary schools all from the Phillips Road north to the Freetown line.
- What impact will the processing of the raw materials from municipal wastewater sludge and other raw materials have on the New Bedford's sewage system and the sewage treatment plant located in the South End of the city? This is a nightmare waiting to happen!

There are many unanswered questions and potential accidents waiting to happen that will impact thousands of residents' lives as well as the environment. Here in New Bedford, we have had and are still cleaning up past environmental contamination such as Sullivan's Ledge, the New Bedford Harbor, Parker Street Waste Site, former Goodyear, etc. Let's not add Parallel Products to the list. Please do not grant the company the permission to move ahead with Phase 2.

Carol Strupczewski
1075 Braley Road
New Bedford, MA 02745

THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

March 19, 2021

Honorable Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: EEA #15990 Parallel Products of New England FEIR

Dear Secretary Theoharides:

Once again, I am writing to express my strong opposition to Parallel Products of New England's proposal to construct an expanded waste facility in very close proximity to a residential neighborhood in New Bedford.

The New Bedford Business Park was never intended to serve waste processing operations, and nearby homeowners invested in their properties with this expectation. The business park was always meant to host world-class manufacturing operations as seen today with AHEAD, LLC, Titleist/Acushnet Company, Poyant Signs, and many others. The proposal by Parallel Products of New England (PPNE) will dramatically alter the nature of this development and negatively impact a dense residential area just a stone's throw away.

New Bedford is an Environmental Justice community with an unfortunate history of environmental damage by reckless, profit-driven corporations. The deleterious impact of these actions is still on display through continued harbor dredging and various site cleanups. We cannot permit our city to revisit these circumstances through increased air, noise, and odor pollution by a solid waste facility.

As I previously emphasized in past public comments to your office, PPNE failed to address deep concerns expressed by my constituents. Two years later there seems to be very little progress in alleviating their fears. Rather, PPNE seems determined to satisfy the minimal criteria necessary to advance this project without regard for the very real and permanent impact their activity will have on hardworking residents. For this reason, I remain staunchly opposed to this project, and believe EEA should not approve the FEIR. Thank you for your consideration of these concerns.

Sincerely,

Mark Montigny
SENATOR

From: bsmrc@aol.com
To: Strysky, Alexander (EEA)
Subject: EEA #15990 Parallel Products FEIR
Date: Monday, March 22, 2021 12:22:01 PM

Mr. Strysky,
I am submitting additional comments for consideration for EEA #15990 Parallel Products FEIR. I signed a petition submitted by the action network but it didn't list all of my concerns.

New Bedford has an aging sewer system. According to the city website, some pipes are older than 75 years old, some are older than 50 years old and some are less than 50 years old. The untreated 52,000 gallons daily of wastewater will have to traverse the length of the city, about 12 miles from Parallel Products to the New Bedford Sewer Treatment Center. Without that additional load, New Bedford has had problems in the past during rainstorms of wastewater overflowing from storm drains. I am concerned that the wastewater may contaminate the areas that overflow of unknown potential chemicals, PFAs, pharmaceuticals.

The 400 tons daily of biosolids may contain potentially dangerous chemicals, such as PFAs (the forever chemical), PCB's, heavy metals, pharmaceuticals. The wastewater from drying these biosolids will be discharged into the NB sewer system. The New Bedford wastewater treatment will not be removing these chemicals and will release the water into Buzzards Bay. New Bedford has already dealt with dredging the river trying to remove PCBs from industrial waste dumped decades ago. I'm concerned about the potential impact on our fishing industry and the related industries that support that economy. According to the New Bedford City website" The Port of New Bedford has been the number one most valuable commercial fishing port in the country since 2001. In 2016, the Port of New Bedford landed 111 million." This wastewater would have a detrimental effect on our economy.

If the guidelines for wastewater treatment change, will Parallel Products be mandated to pick up the expense of that treatment? Will they be required to treat their discharge prior to release? I certainly hope so.

Another concern I have is about a fire or other hazardous situations. As you've heard, Parallel Products is across the road from a residential neighborhood. If a fire were to occur at their plant, evacuation will be almost impossible. Phillips Rd is what I'd called landlocked for almost 2 miles. On one side of Phillips Rd is the industrial Park, On the other side of the road is a housing development with over 300 houses. Rt 140 borders the back of the houses. The nearest evacuation route from my home would be 3/4 mile north to Braley Rd. Pulaski Elementary School on Braley Rd is less than a mile from Parallel Products and very close to the Braley Rd exit off Rt140. On the southern end of Phillips Rd is the Phillips Rd exit off Rt140. A little further along Phillips Rd curves at a 90 degree angle and leads to another Elementary School, Campbell. In addition to all these school age children, there are all the other occupants of the industrial park. Both exits of Rt. 140 are already dangerous without the additional truck traffic.

You may have heard on Friday 3/19/21news that there was third fire in No Andover at the TBI recycling site that processes construction debris. That fire was still being wet down 7 hours after the start of the blaze. In Aug 2019, there was a 4 alarm fire at this same site, 210 Holt Rd. It took 18 hours to reduce the fire to smoldering. At the time TBI was doing business as Thomson Bros. There wasn't enough water to put out the fire so the fire dept. had to close the highway to run their hoses across the highway to get to a fire hydrant. Another fire took place in 2012. That would be 3 fires in less than 10 years. Parallel Products is hoping to handle construction debris like TBI as part of their expansion so my fire concern is real.

Parallel Products is not a good neighbor. The New Bedford Conservation Commission cited them on 5/9/19 for: "Stockpiling of glass in the 100' buffer zone, The existing Order of Conditions approved plans

specifically state the area is to be used for the parking of tractor trailers. The glass covers two of the catch basins which discharge into Bordering Vegetated wetland. It is unknown if these catch basins are covered to prevent glass from entering them". This occurred during the time that Parallel Products was trying to get permitted. You can look up the citation yourself at the City of New Bedford website, environmental Stewardship, Conservation Commission, then Conservation Commission Notes 5-21-19 notes. I liken it to finding out that your spouse is cheating on you during your honeymoon, it doesn't bode well for the marriage.

Parallel Products plans to build 19 smokestacks for their expansion ranging in height from 70 feet to 40 feet. I don't think there are 19 smokestacks in the whole greater New Bedford area. They plan to accept 1/10 of the state's waste, estimated to be about 500 million tons of trash per year. That trash and the biosolids will arrive in trucks estimated to be at least 75 trucks in and 75 trucks out for a total of 150 daily trips. The estimates range from a low of 150 truck trips per day to as many as 400 trips per day. The CrapoHill landfill is already located in New Bedford at 300 Barnet Blvd, New Bedford in this same industrial park but it is managed better.

New Bedford residents are opposed to Parallel Products and I hope you will give serious consideration to our concerns. In my opinion, the only "green" in parallel Products new name is the green that they hope to line their pockets with at the expense of the residents of greater New Bedford.

Elizabeth Saulnier
94 Birchwood Dr.
New Bedford, MA 02745

From: Jacob Chin
To: Strysky, Alexander (EEA)
Subject: EEA No. 15990
Date: Wednesday, March 24, 2021 7:36:39 PM

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Alex Strysky - **EEA No. 15990**
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Mr. Strysky,

I am emailing you to note my strong opposition in totality to the Parallel Products of New England (PPNE) Project planned for New Bedford's business park. While I understand that PPNE has gotten approval for phase one from the MEPA office, I am urging MEPA to require PPNE to produce additional information, and requesting that MEPA require independent non-bias studies for phase two to be approved.

I oppose PPNE in New Bedford for many reasons. New Bedford is a gateway city in Massachusetts that has a history of environmental injustices including New Bedford High School being built on a landfill. There are many concerns related to the PPNE-NB project such as odors, pests, air, water, and ground pollution, traffic, access to roads, etc.

I am also concerned about the impact to poor and communities of color that live close to the planned site. Neighbors like Lord Phillips; Satellite Village; and Dottin place, are all low-income housing developments that don't have the option to move. What outreach has been done by MEPA or PPNE to these communities?

I look forward to you answering the following questions:
1) What studies have been conducted to the current land of the business park to test for the environmental impact already existing?
2) What studies have been done to test the impact of PPNE to the proposed site and surrounding wetlands and environmentally protected lands?
3) What will be the impact to the other businesses in the park, and surrounding neighborhood? Will they have to install air filtration systems? If so, who will pay?
What will be the impact to Pulaski school and any other child care centers? Will schools and child centers needs to install/upgrade air filtration systems? If so, who will pay?

4) PPNE conducted their traffic study and came to the conclusion that there will be no impact to traffic. That can't possibly be true with the projected numbers alone. Has MEPA conducted an independent traffic study?
5) What impact will PPNE have on vulnerable populations like elderly, medically fragile, and people without transportation?
6) The nearest hospital is St. Luke's in New Bedford about 15 minutes away without traffic. What studies have been conducted to assess the impact of PPNE on emergency needs of the community?
7) The proposed project is planned to have 19 stacks. How far will the smoke from the stacks reach? What is the impact on the quality of air? Does MEPA know the height of all stacks (factoring in the levels of the project site)? What is the height relationship to the stacks and the nearby homes and businesses?
8) Given the state of the current roadways in New Bedford, what will happen once we have hundreds of trucks each day on these already failing roads?
9) What studies has MEPA done to ensure the safety and wellbeing of poor and communities of color?
10) What are the proposed plans for transporting the sludge to be processed at PPNE-NB? Will a train bring the sludge to the south end of New Bedford's water treatment plant? Will the sludge only be processed at the business park? Is the sludge only being transported to and from the proposed site by truck? If plans include moving the sludge around New Bedford or nearby areas to be treated, what studies have been conducted to assess the impacts?

Thanks so much,

Jacob Chin
26 Garrison Road
New Bedford, MA 02745

--
Jacob Chin, Esq.
Juris Doctor¦ Master of Public Policy

From:	Karen Chin
To:	Strysky, Alexander (EEA)
Subject:	ATTENTION MEPA OFFICE : EEA No. 15990
Date:	Wednesday, March 24, 2021 9:41:22 PM

Secretary of Energy and Environmental Affairs

Executive Office of Energy and Environmental Affairs (EEA)

Attn: MEPA Office

Alex Strysky - **EEA No. 15990**

100 Cambridge Street, Suite 900

Boston, MA 02114

Dear Alex Strysky,

I am writing this email in strong opposition to the project proposed by Parallel Products of New England, to construct a sludge and waste facility in the New Bedford Business Park. I do not stand alone in the opposition of this facility. I have gone door to door to see how others feel about this facility in our city of New Bedford. I have gone from single-family homes; to condos; and to the 3 low-income housing projects that are all in the north end of New Bedford. Regardless of where these people live in the north end, they all voiced their concerns about allowing this facility.

My community members and I believe PPNE project in New Bedford will be harmful to our community in so many ways, such as: health concerns; air, noise, and ground pollution; overuse of water; and causal links to disease, illness, and agricultural scarcity; truck traffic causing harm to our roads; trucks causing pollution; harm to the children playing in residential areas near traffic area and outside for recess (PPproject between two large Elementary New Bedford Schools).

My questions to you are:

1. With all the toxins going back into the sewer system, how is this not going to eventually pollute our bay?

What impact will PPNE project have on the local sewer systems; drinking water systems; water treatment systems; and natural bays, oceans, and waterways?

2. Who's sludge is Parallel Products taking and what is the criteria?

Has MEPA studied the variants of sludge from different cities/states and the impact of variants of sludge?

3. Is Parallel Products capable of doing more recycling and if so how is MEPA going to ensure the best outcomes?

4. There is a concern of pests(mice, rats and other rodents). Is Parallel Products going to be responsible for the pest control?

How is this going to affect the community?

5. What is the impact on the residential community with the trucks (400 per day) and traffic (also being in a school district.) PPNE conducted their own traffic study in an area where the facility was not up and running.

Does MEPA plan to have an independent traffic study?

6. PPNE has planned for 19 stacks (with some being 70 feet high) to service their facility.

How will the smoke from these stacks affect the community, how far will the smoke reach, has wind direction been taken in consideration?

What is the impact on the quality of air?

Has MEPA done a study on what these 19 stacks will affect the residential homes and businesses it borders?

7. Does MEPA offer increased protections to overburdened communities?

8.Does MEPA consider environmental racism when making decisions?

Thank you for taking the time to read this letter and I will await your response.

Karen Chin

26 Garrison Rd

New Bedford,MA 02745

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
Attn. MEPA Office
EEA No. 15990
100 Cambridge Street, Suite 900 Boston, MA 02114

Re: Parallel Products of New England, LLC 100 Duchaine Boulevard, New Bedford, MA
Final Environmental Impact Report - EEA No. 15990

Dear Secretary Theoharides:

By way of introduction my name is Linda Morad. For the past 18 years I have had the honor of serving the residents of the City of New Bedford as a member of the New Bedford City Council. In this capacity, representing the voices of the people that elected me, I have continuously spoken in opposition to the project in the New Bedford Business Park referenced above. Many of the residents I represent have also previously sent correspondence to your office detailing their concerns and opposition to this project.

However I write this letter from a personal perspective, representing myself and my family, all whom have been residents of the City of New Bedford our entire lives. I own and have lived in my family home in the far north end of New Bedford, which was built in 1959. In addition members of my immediate family own and reside in two additional properties in the north end. All three of these properties are within a one mile radius of this proposed project.

A fairly remote area of the City of New Bedford back in 1959, with a large fresh water spring fed pond, the area neighborhoods have flourished over the years into a beautiful residential community, bustling during the day with normal family and business activities, quiet and serene in the evening.

There are two elementary schools, several child day care facilities and several long term nursing facilities located in the surrounding neighborhoods. Several years ago the area residents supported the development of the New Bedford Business Park, which provided manufacturing and service related businesses the opportunity to expand and offer good paying jobs to residents of the City and the surrounding communities. None of these companies are engaged in the type of industry that is currently under consideration with this permit, nor do they operate on a twenty four hour / seven day a week schedule that is certain to be totally disruptive to the peacefulness of the surrounding community.

So I am clear and this does not sound like a ‘Not In My Back Yard’ message, a facility like this does not belong abutting **ANY** residential neighborhood in the Commonwealth. The long term impact on the surrounding neighborhood is certain to be devastating.

The fact that the property where this permit is being considered may be zoned correctly should not be considered when permitting this type of industry within a residential area in the City of New Bedford or anywhere in Massachusetts.

Odor, pollutants, chemical emissions, industrial smokestacks and potential environmental damage to the surrounding wetlands and ponds, these are just a few of the issues that should immediately ban this type of industry from locating within any residential area.

Added to that, the effect on traffic flow, odor and sound from numerous diesel trucks idling in the overnight hours waiting to be unloaded, road infrastructure damage, neighborhood safety, residential property values and overall quality of life of my family and my neighbors require the most serious consideration and should result in the denial of this permit. I can assure you that no one who purchased a property in this area assumed that their home life would be subjected to an industrial project operating twenty four hours a day / seven days a week.

I implore you, Secretary Theoharides, your office staff and all the State agencies reviewing this expansion project to earnestly listen to these concerns, halt this project from moving forward and reject this application as presented to preserve the residential neighborhood that my family, neighbors and I love and have invested our lives.

Respectfully submitted,

Linda M. Morad
Resident of the City of New Bedford
4162 Acushnet Avenue
New Bedford, MA 02745

March 25, 2021

Secretary Kathleen Theoharides

Executive Office of Energy and Environmental Affairs

MEPA Office

100 Cambridge St., Suite 900, Boston, MA 02114

RE: EEA No. 15990 Parallel Products

Dear Secretary Theoharides,

I am a resident of the Far North End of New Bedford where this project is located, and also the City Councilor for this area, I am writing in regards to my concerns as well as my families concerns and the concerns of the residents in the surrounding areas on the Parallel Products project which is a proposed expansion at 100 Duchaine Blvd. in the New Bedford Industrial Park. The Industrial Park as well as the proposed expansion abuts heavily populated neighborhoods, in which is an elementary school, and we are concerned that this expansion will have a detrimental effect on this community.

There are many concerns with the processing of MSW and biosolids at this facility, health concerns of toxins being emitted into the air and ground, odor, as well as issues with the proximity to wetlands causing environmental concerns.

Other issues affecting the quality of life in the area from this project would be noise, air pollution from the processing as well as with the increase of truck traffic going into this facility every day, air quality from the diesel emissions.

While air quality is a major concern with the increase of trucks there is also traffic issues. With the many trucks making their way into the facility this is adding more traffic congestion into an already high traffic area. This will only heighten the danger for Elementary School students who walk to school in this already high traffic area.

With all that has been mentioned above this is also causing grave concern regarding quality of life in this area. This is a residential area where people are raising their families and there is serious concern regarding safety for their children with the heavy truck traffic that will come about due to this project, as well as health concerns. With this project so close to neighborhoods there are noise concerns especially at night when families are trying to sleep to get up for work and school the next day. They want to be able to enjoy their home's and yards without having to deal with the issues that this project will bring.

Another concern is what this project will do to property values, residents here take pride in their homes, these families pay some of the highest taxes in the City and shouldn't have to be burdened with all the problems that will be associated with this project.

There are just too many issues with the environment, health of the residents, noise, quality of life that this project would bring, this project is not in the best interest of the residents and why I oppose this project moving forward.

Sincerely,

Brad Markey

1520 Morton Ave

New Bedford, MA 02745

Energy & Environmental Affairs
Public Comments Portal

alexander.strysky@mass.gov

View Comment

Comment Details

EEA #/MEPA ID*	**First Name**	**Address Line 1**	**Organization**
15990	Elizabeth	3 Jennifer LAne	--
Comments Submit Date	**Last Name**	**Address Line 2**	**Affiliation Description**
3-26-2021	Swible	--	Individual
Review Due By	**Phone**	**State**	**Status**
4-5-2021	--	MASSACHUSETTS	Opened
Reviewer	**Email**	**Zip Code**	
Alex Strysky (857) 408-6957	lpswib@comcast.net	02745	

Comments

Topic: Opposition to Parallel Products of New England EEA #/MEPA ID* 15990

Secretary Kathleen Theoharides Executive Office of Energy and Environmental Affairs Attention: MEPA Office EEA No. 15990 100 Cambridge St. Suite 900 Boston, MA 02114 3/26/2021 Dear Secretary Theoharides, I am writing in regard to the proposed expansion of Parallel Products of New England at 100 Duchaine Blvd. located in the New Bedford Busines park. My name is Elizabeth Swible and I have been a resident of New Bedford for 52 years and have very serious concerns about the impact that this facility will have on the residents of our city. The location of this facility is in a densely populated residential community and is considered an Environmental Justice Community. I am opposed to this facility and asking that MEPA reject the Draft Environmental Impact Report (DEIR) submitted by Green Seal Environmental, Inc. hired by PPNE. I am concerned with the negative impact that the trucking-in, processing of, and the hauling out of bio-solid sludge from municipalities across the state will have on our community. The impacts include air quality, odor, traffic, pollution, and reduction of property value. My specific concerns include the following: • Odor emitting from this facility is a serious concern along with the chemicals that will be added and dispersed into the environment in any attempt to mask foul odors. How is this company going to mitigate air quality and odor as many factors including wind and temperature impact the air quality? • Will PPNE pay for a thorough odor audit? • I am concerned with the high volume of traffic and the trucking in of biosolid sludge through our community. • Noise has been an issue since PPNE has moved into the business park. This is a proposed 24-hour, 7-day functioning facility. Will PPNE provide this community with a thorough noise study? • PFC's have become a growing concern. The state of Maine has put in place restrictions on accepting fertilizer to be dumped onto farms because of high levels of PFC's contaminating Dairy and crop farms. The state of Mass is looking into this issue and how it will be handling PFC's. How will PPNE handle tracking the amount of PFC's in the bio sludge being accepted from across the region at this proposed facility? How will PPNE ensure that the public is informed? • Is there a study on the havoc this facility will cause on an already aging infrastructure of this city's sewage system? It was never imagined that the sewer lines would have to handle the volume of wastewater and corrosive materials that will be further processed and flushed from the bio sludge, again from highly populated municipalities across the state. • What impact will the contaminate from the chemicals added during the scrubbing process, odor control, and the sewage from the overall processing of this bio-sludge have on not only out wastewater treatment plant but the Buzzard Bay as well? I look forward to your response in addressing my concerns. Sincerely. Elizabeth Swible 3 Jennifer Lane New Bedford, MA 02745

Attachments

PPNE 15990.docx(null)

Update Status

Status

Opened

SUBMIT

Share Comment

SHARE WITH A REGISTERED USER

BACK TO SEARCH RESULTS

clf
conservation law foundation

South Coast Neighbors United, Inc.

COMMUNITY ACTION WORKS
Confront polluters. Seed solutions.

For a thriving New England

CLF Massachusetts
62 Summer Street
Boston MA 02110
P: 617.350.0990
F: 617.350.4030
www.clf.org

March 26, 2021

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

Regarding: Parallel Products of New England, LLC, 100 Duchaine Boulevard, New Bedford, Massachusetts, Final Environmental Impact Report, EOEEA No. 15990

To Whom It May Concern:

The undersigned would like to express its serious concerns regarding the project proposed by Parallel Products of New England, LLC (the "Proponent") to be sited at 100 Duchaine Boulevard, New Bedford, (the "Site") and described in the Final Environmental Impact Report ("FEIR") described above (the "Proposed Facility"). ***The FEIR did not adequately address concerns raised in the comments to the DEIR, and the undersigned therefore request that the Secretary of the Executive Office of Energy and Environmental Affairs ("EEA") issue a Certificate requiring the Proponent to generate a supplemental EIR, and provide guidance on the scope of additional study and analysis needed.***

Conservation Law Foundation ("CLF") is a non-profit, member supported regional environmental organization working to conserve natural resources, protect public health, and promote thriving communities in New England. Through CLF's Zero Waste Project, CLF aims to protect New England communities from the dangers posed by unsustainable waste generation and disposal. CLF's Massachusetts members include residents with a deep interest in protecting our natural resources and in reducing the need for landfills and incinerators and promoting Zero Waste programs in the Commonwealth.

South Coast Neighbors United is a non-profit, grassroots organization of concerned residents who came together in 2015 in opposition to Access Northeast, a project proposed to expand and construct unnecessary and dangerous natural gas infrastructure in South Coast communities. SCNU shares factual information with the public about the true risks that this, and other similar projects, pose to their community's health, safety, financial security, and the environment.

Community Action Works is a non-profit, regional organization that works side by side with everyday people to confront those who are polluting and harming the health of our communities. They partner with the people who are most impacted by environmental problems and train them with the know-how anyone would need to make change in their own backyard.

The Proposed Facility includes:

- Glass processing plant that will crush, size, and separate glass by color that has been collected through the Massachusetts bottle deposit system.[1] This glass cullet will then be sold for the production of new glass products;
- Rail sidetrack to be built from the existing rail line adjacent to 100 Duchaine Boulevard;[2]
- Solar canopies to be constructed on a canopy system;[3]
- Transfer station for Municipal Solid Waste ("MSW") and Construction and Demolition ("C&D") materials, with some processing ("Proposed Transfer Station," or "Proposed Dirty MRF") that will accept about ***450,000 tons of trash a year***, (1,500 tons a day, 300 days a year) and ship almost all of that waste out for disposal by rail;[4] and,
- Sewer sludge drying facility that will accept about ***15,000 tons of sewer sludge a year*** (50 tons a day).[5]

As per 301 CMR 11.07, the final EIR should expound on "aspects of the Project or issue that require further description or analysis and a response to comments. . ."[6] Within seven days after the close of the public comment period, the Secretary of the EEA shall determine if the FEIR is adequate or inadequate.[5] If inadequate, the Secretary shall require the Proponent to file a supplemental EIR in accordance with 301 CMR 11.07.[7]

While the undersigned reserve their right to comment more specifically in the future regarding noise, odor, traffic, vector, water and air pollution, impacts on nearby residents, and greenhouse gas concerns, ***we request that the Secretary require the Proponent to provide more detailed information in a supplemental EIR regarding the impact of the Proposed Dirty MRF and rail transport on the Commonwealth's solid waste system, the Environmental Justice community the Proposed Facility would be located in, a baseline review of soil and groundwater conditions at the Site, how a sewer sludge drying facility would impact sludge treatment and disposal in the region, and the leachate generated and best treatment options for that leachate for the following reasons:***

I. Impact of Proposed Facility on Commonwealth's Solid Waste System

[1] Certificate of the Secretary of Energy and Environmental Affairs on the Draft Environmental Impact Report, January 30, 2020, p. 2.
[2] Id.
[3] Id.
[4] Id. and FEIR, p. 190.
[5] Id. and FEIR, p. 190.
[6] 301 CMR 11.07(4)
[7] 301 CMR 11.08(8)(c)2.

clf
conservation law foundation

South Coast Neighbors United, Inc.

COMMUNITY ACTION WORKS
Confront polluters. Seed solutions.

A. Solid Waste Disposal in Massachusetts – No Progress in Last Ten Years

In 2019, the Commonwealth of Massachusetts generated 5.5 million tons of solid waste for disposal.[8] This is 100,000 tons more than we disposed of a decade ago in 2010, despite plans to significantly decrease disposal by 2020, the almost total elimination of office paper and newspapers, and the increased infrastructure for processing food waste. In its 2020 Solid Waste Master Plan: A Pathway to Zero Waste[9] and the 2030 Draft Solid Waste Master Plan[10], the Department of Environmental Protection of the Commonwealth of Massachusetts ("MassDEP") continues to frame solid waste as an issue of providing disposal capacity. In other words, providing some place for our trash to go, even if that means continuing to allow the oldest incinerator in the country to belch pollution in Saugus, or continuing to ship trash to Ohio, New York, South Carolina, New Hampshire, Maine, and Virginia.[11]

Table 3 Solid Waste Disposal 2010-2019 (all data in tons)

			2010	2011	2012	2014	2015	2016	2017	2018	2019
Disposal			**5,430,000**	**5,610,000**	**5,400,000**	**5,520,000**	**5,510,000**	**5,610,000**	**5,720,000**	**5,660,000**	**5,510,000**
	Landfill		**1,560,000**	**1,650,000**	**1,700,000**	**1,560,000**	**1,380,000**	1,330,000	1,310,000	1,270,000	**880,000**
		MSW	1,280,000	1,390,000	1,380,000	1,380,000	1,260,000	1,170,000	1,140,000	1,190,000	**820,000**
		C&D	120,000	70,000	100,000	50,000	50,000	70,000	70,000	0	**0**
		Other	170,000	190,000	220,000	130,000	70,000	90,000	110,000	70,000	**60,000**
	Combustion		**3,180,000**	**3,260,000**	**3,210,000**	**3,270,000**	**3,250,000**	**3,190,000**	**3,180,000**	**3,200,000**	**2,990,000**
		MSW	3,170,000	3,250,000	3,210,000	3,260,000	3,250,000	3,170,000	3,140,000	3,180,000	**2,970,000**
		Non-MSW	10,000	10,000	0	0	10,000	20,000	30,000	20,000	**10,000**
	Net Exports		**690,000**	**700,000**	**490,000**	**690,000**	**880,000**	**1,090,000**	**1,230,000**	**1,190,000**	**1,640,000**
		Exports	1,270,000	1,340,000	1,050,000	1,190,000	1,380,000	1,560,000	1,790,000	1,820,000	**1,970,000**
		MSW	690,000	630,000	510,000	460,000	620,000	680,000	820,000	750,000	**820,000**
		Non-MSW	580,000	710,000	540,000	730,000	760,000	880,000	970,000	1,070,000	**1,140,000**
		Imports	580,000	640,000	560,000	490,000	500,000	460,000	570,000	630,000	**330,000**
		MSW	440,000	390,000	420,000	460,000	460,000	420,000	540,000	610,000	**310,000**
		Non-MSW	140,000	240,000	150,000	40,000	50,000	40,000	20,000	20,000	**20,000**

Table 4 MSW and NON MSW Disposal 2010-2019

	2010	2011	2012	2014	2015	2016	2017	2018	2019	% change vs 2018
Total Disposal (Tons)	5,440,000	5,620,000	5,390,000	5,510,000	5,510,000	5,620,000	5,720,000	5,650,000	5,490,000	-0.03
MSW	4,700,000	4,880,000	4,680,000	4,640,000	4,670,000	4,600,000	4,560,000	4,510,000	4,300,000	-0.05
Non-MSW	740,000	740,000	710,000	870,000	840,000	1,020,000	1,160,000	1,140,000	1,190,000	0.04

This approach has not worked to reduce disposal, and it will not work. New Hampshire similarly has historically permitted new landfill capacity in an effort to provide disposal options for its residents and business sector, and imports almost a million tons of waste a year for disposal from out of state.[12] Yet New Hampshire also exports about 500,000 tons of waste each year to be

[8] 2019 Solid Waste Data Update, https://www.mass.gov/doc/2019-solid-waste-data-update/download, p. 3. Disposal for the purposes of these comments means burned in an incinerator or buried in a landfill.
[9] Massachusetts 2010-2020 Solid Waste Master Plan, April 2013, https://www.mass.gov/doc/2010-2020-solid-waste-master-plan-a-pathway-to-zero-waste/download
[10] Draft for Public Comment, Massachusetts 2030 Solid Waste Master Plan September 2019, https://www.mass.gov/doc/draft-2030-solid-waste-master-plan/download
[11] Id. at p. 5.
[12] 2019 Biennial Solid Waste Report, NH DES, p. 4 https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/2020-01/r-wmd-19-02.pdf

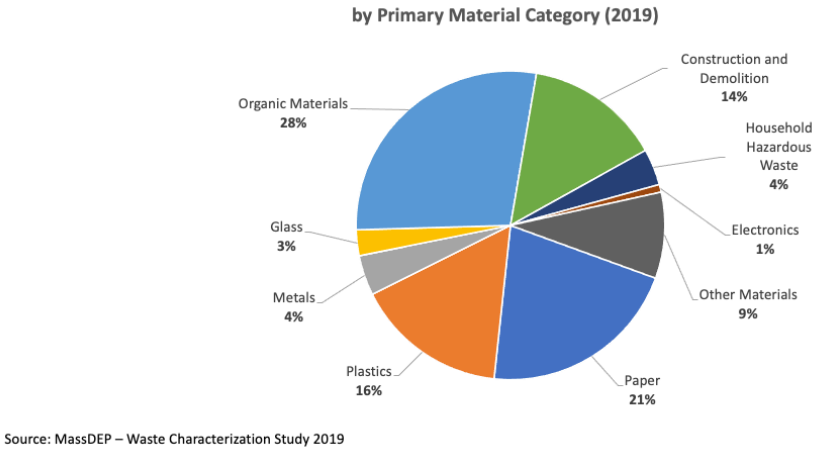
landfilled elsewhere[13], meaning New Hampshire's landfills are not actually netting a benefit for New Hampshire. Disposal will decrease when it is NOT convenient.

In reality, the scarcer disposal capacity is, the more likely it will be that we will take meaningful action to reduce, reuse, and recycle, once we are resolved to do so. Connecticut has rejected building a "massive transfer station for shipping waste out of state" when faced with the imminent closure of one of their largest solid waste incinerators.[14] Instead, Connecticut's Department of Energy and Environmental Protection is pursuing, "unit-based pricing for solid waste disposal, greater promotion of recycling, and separation of food waste for composting."[15]

The Commonwealth must also stop enabling endless waste disposal. The easier and cheaper it is to dispose of waste, the more the system remains unchanged, and the harder it is to establish working Zero Waste programs. Instead, the Commonwealth must also adopt unit-based pricing to incentivize waste reduction, strengthen and establish producer responsibility systems, like the Bottle Bill and EPR for packaging, entirely ban disposal of food scraps, and enforce our existing waste bans vigorously. As shown on the pie chart below, much of the trash we are disposing of could be recycled or composted if it was properly sorted at its source. We have good, workable solutions that would save cities, towns, and businesses money and create good, local jobs. We should follow Connecticut's lead and NOT build huge transfer stations to ship our waste out of state.

[13] The NCES "public benefit" report, p. 4 cites both CDD and MSW export figures. https://www4.des.state.nh.us/IISProxy/IISProxy.dll?ContentId=4834062
[14] "Lamont won't back $330M trash plant subsidy" Harford Business Journal, July 15, 2020 https://www.hartfordbusiness.com/article/lamont-wont-back-330m-trash-plant-subsidy
[15] Id.

Overall Waste Composition in Massachusetts



Source: MassDEP – Waste Characterization Study 2019

The Proponent failed to address any of these concerns in the FEIR. The Proposed Facility would not enable or encourage the Commonwealth to reduce, reuse, recycle or compost our trash, obviating the need for disposal. Instead, this would make it easier and cheaper to ship our waste out of state, and out of mind. This is unacceptable and in direct contradiction to the goals and polices adopted by the Commonwealth. ***The undersigned request that the Secretary require the Proponent submit a supplemental EIR to address this problem, and explain how this Proposed Facility would do anything other than encourage the Commonwealth to generate solid waste for disposal.***

B. Recycling in Massachusetts – Broken and Expensive

Our recycling system is also broken. Right now in Massachusetts, only about 690,000 tons of materials a year are collected and brought to materials recycling facilities, or MRFs.[16] There, materials collected mainly from curbside recycling systems are sorted manually and by machines. MRFs do not accept trash, but recyclables diverted from the waste stream.

When waste companies adopted single stream collection systems for recycling about ten years ago, they told the public to throw items in recycling that there has never been a market to recycle.[17] MRFs, many run by waste companies, sent very contaminated bundles of mixed plastic

[16] Massachusetts Materials Management Capacity Study, MSW Consultants, MassDEP, February, 2019, page 2-5, https://www.mass.gov/doc/massachusetts-materials-management-capacity-study-february2019/download

[17] Cambridge Switches to Single-Stream Recycling, August 18, 2010, "There are also going to be new materials that are going to be accepted as part of the single-stream program: empty pizza boxes; big plastic items like laundry baskets, buckets, plastic toys; spiral cans like those that potato chips, coffee, or

and paper to China, where it was further sorted and/or recycled or disposed of.[18] Now that China is no longer willing to accept our low grade materials, the recycling market has fallen apart.[19] As a result, those same waste companies are charging cities and towns in Massachusetts astronomical per ton tipping fees to accept and sort their recycling.[20]

Many of these single stream materials are not recycled, but downcycled, or worse, disposed of and used as landfill cover. Plastic beverage containers that are not covered by deposit systems are unlikely to be recycled. The national recycling rate for plastic beverage containers collected curbside is only 28%, while the national recycling rate for plastic containers in bottle bill states is 72%.[21] According to the National Waste and Recycling Association, 25% of what is placed into single-stream recycling is too contaminated to go anywhere other than a landfill[22] only 40% of glass placed into single-stream recycling collections actually gets recycled.[23] In other words, even the bottles, cans, cardboard, and paper in curbside systems are NOT getting purchased by recycling companies after they leave the MRFs to be made into new bottles, cans, cardboard, and paper.

Against this backdrop, the idea that Proponent will be able to extract usable recyclables with any value from a Dirty MRF is ludicrous.

Proponent is proposing to construct a "Transfer Station" but operate parts of it like a "Dirty MRF." 310 CMR 16.00 defines a "Transfer Station," as a "handling facility where solid waste is brought, stored, and transferred from one vehicle or container to another vehicle or container for transport off-site to a solid waste handling or disposal facility." Some of the waste would be delivered baled to the Proposed Facility, and then it will be loaded directly onto rail cars to be shipped off-site for disposal. None of the baled MSW would be recycled.[24] The Proposed Facility would also accept C&D residuals (Construction and Demolition materials that are left over after all of the recyclables have been extracted) and C&D bulky waste, both of which have

---

nuts come in; and empty paper coffee cups." None of these items are accepted now in curbside programs, and none of them were recyclable then. http://www.warmhomecoolplanet.org/cambridge-switches-singlestream-recycling/

[18] https://e360.yale.edu/features/piling-up-how-chinas-ban-on-importing-waste-has-stalled-global-recycling#:~:text=It has been a year since China jammed,world's recyclable waste for the past quarter century.

[19] Id.

[20] https://www.bostonglobe.com/metro/2020/01/11/national-recycling-crisis-hits-hard-western-massachusetts/cn6o05CAvXmYzwyqWFCniJ/story.html

[21] Simon Scarr & Marco Hernandez, Downing in Plastic: Visualizing the World's Addiction to Plastic Bottles, Reuters. (Sept. 4, 2019).

[22] Maggie Koerth, The Era of Easy Recycling May be Coming to an End, FiveThirtyEight (Jan. 10, 2019).

[23] Mitch Jacoby, Why Glass Recycling in the U.S. Is Broken, Chemical & Engineering News (Feb. 11, 2019).

[24] DEIR, page 7.

little or no recyclable value.[25] In regards to the baled MSW and C&D waste, the Proposed Facility would be a Transfer Station.

A "Dirty MRF" is a Materials Recycling Facility that accepts and processes recyclables mixed in trash, including food scraps, household hazardous waste, and the non-recyclable materials commonly found in residential and commercial waste, as well as recyclable materials. Proponent plans to cherry pick recyclables out of the loose MSW -- by hand or mechanization -- to remove recyclable commodities based on changing markets, which Proponent lists as metals, cardboard, aluminum, wood, glass, PET plastic, paper and other plastics.[26] The rest of the MSW would be baled and shipped out on rail cars.

Unfortunately, due to high levels of contamination (materials that are not recyclable) this is untenable at a Dirty MRF. If MRFs are not producing clean recyclable materials cheaply, why would the Commonwealth consider allowing a Dirty MRF to be built? ***The Proposed Facility would do nothing but ensure that the Commonwealth of Massachusetts continued shipping trash, at least 450,000 tons a year, out of state for the indefinite future.***

C. **The Proposed Dirty MRF is a highly optimistic, inefficient, misguided, and polluting concept:**

Optimistic, because a Dirty MRF is even more unlikely to yield any marketable recyclables than a regular MRF. Proponent estimates that this Dirty MRF would extract about 20%, or more, from the MSW for recycling. The rest would be shipped out of state to be landfilled or burned in an incinerator. The DEIR is unclear on what that 20% recyclable materials actually represents, particularly given how little of the materials will be recyclable as:

- None of the baled MSW will be recycled.
- Organics like food scraps and yard waste usually comprise about a third of MSW, and none of them are recyclable. Organics should be source separated initially so they don't contaminate the recyclables and so they can be composted.
- The type of C&D the Proponent is planning to accept is by definition unrecyclable.
- Most of the cardboard, paper, and glass will be too contaminated by food and other materials to sell.
- Proponent states that it plans on processing Bottle Bill glass at their glass facility, not glass from their own Dirty MRF, probably because it would contaminate the cullet they will produce. Proponent will not recycle glass from their own Dirty MRF.

[25] DEIR, page 8.
[26] DEIR, page 9.

- Metal (including aluminum) is only about 4% of the waste stream.[27] Currently there is no market for most plastic – only PET and HDPE plastics are getting recycled, and only then if they are well-sorted and clean. According to the most recent 2019 Waste Characterization Studies, they account for about 5% of the waste stream.[19]

Inefficient, because the expense of processing the materials is unlikely to pay for itself. It would be much more efficient if materials were sorted and diverted up front before they went into the trash or single-stream containers. Even in the current depressed markets places like the Towns of Wellesley or Sturbridge that deep sort their recyclables still can sell much of their cardboard/paper and containers for a profit, because they are clean and uncontaminated. In fact, if the food scraps, yard waste, and recyclable materials like containers, cardboard, and textiles were not initially commingled, somewhere between 70%-80% of the Commonwealth's MSW could be composted or recycled.[15]

Misguided, because while the DEIR states, "The proposed project is being developed to fill a need in the Commonwealth for processing and economical transfer to out of state proposal sites," in accordance with the Massachusetts 2010-2020 Solid Waste Master Plan, in actuality that plan was called "A Pathway to Zero Waste," because it prioritized the reduction, recycling, and composting of solid waste. Shipping solid waste out of Massachusetts was never the goal of MassDEP, in fact over the last ten years it has been viewed as a policy failure at Solid Waste Action Committee meetings held at MassDEP.

Polluting, because investing in the Proposed Dirty MRF may seem like investing in recycling infrastructure, when in actuality it will be an investment in polluting landfills to accept our surfeit of solid waste in states with less rigorous siting regulations, like New Hampshire, Ohio, or Virginia. Given that all landfills leak toxic leachate[28] and emit toxic landfill gas,[17] this is polluting and morally reprehensible.

The Proposed Dirty MRF will result in no reduction, no composting, and little, if any, recycling of the Commonwealth's waste. It will also exacerbate two major impediments to the evolution of Massachusetts' solid waste system: 1) Cheap out of state disposal has allowed us to avoid

---

[27] Overall Waste Composition by Detailed Material Category, 2016 Sampling Excel Spreadsheet, https://www.mass.gov/guides/solid-waste-master-plan#-waste-characterization-&-capacity-studies- [14] Overall Waste Composition by Detailed Material Category, 2016 Sampling Excel Spreadsheet, https://www.mass.gov/guides/solid-waste-master-plan#-waste-characterization-&-capacity-studies- [15] Overall Waste Composition by Detailed Material Category, 2016 Sampling Excel Spreadsheet, https://www.mass.gov/guides/solid-waste-master-plan#-waste-characterization-&-capacity-studies-
[28] All Landfills Leak, and Our Health and Environment Pay the Toxic Price, Kirstie Pecci, https://www.clf.org/blog/all-landfills-leak-and-our-health-and-environment-pay-the-toxic-price/ [17] Landfills Have a Huge Greenhouse Gas Problem. Here's What We Can Do About It, Erica Gies, Ensia,
October 25, 2016, https://ensia.com/features/methane-landfills/

adopting programs to incentivize waste reduction; and, 2) Poor recycling systems that generate poor quality recyclables, moving us no closer to circular production systems.

The bales of trash would be loaded onto rail cars for disposal off site, "generally out of state," said the Proponent.[29]

The undersigned request that the Secretary require the Proponent submit a supplemental EIR to address this what marketable materials they will remove from the trash to achieve 20%, especially considering that much of the waste they accept will be transferred without extracting any recyclables.

II. Environmental Justice Impacts of the Proposed Facility

Waste transfer stations like this one have long been recognized as a health and environmental burden when located in dense, low-income communities. In 2000, a report prepared for the U.S. Environmental Protection Agency ("EPA") by the National Environmental Justice Advisory Council ("NEJAC") found that transfer stations "are disproportionately clustered in low-income communities and communities of color," and that these stations "can bring many problems to a community if they are not managed correctly," including "quality of life issues such as noise, odor, litter, and traffic, . . . environmental concerns associated with poor air quality (from idling diesel-fueled trucks and from particulate matter such as dust and glass)."[30] In its analysis for EPA, NEJAC also found that "when issuing permits for [transfer stations], local permitting agencies typically fail to consult with potentially impacted neighborhoods regarding the environmental impact of proposed [transfer stations]."[31]

Proponent recognizes that "EJ populations are those segments of the population that the Executive Office of Environmental Affairs has determined to be most at risk of being unaware of or unable to participate in environmental decision-making or to gain access to state environmental resources or are especially vulnerable."[32] Proponent acknowledges that the Site is within "an Environmental Justice area."[33] so it meets the first condition necessary to trigger additional procedural requirements, as well as enhanced analysis. The Proposed Facility also exceeds "a mandatory EIR threshold for air, solid and hazardous waste. . . or wastewater sewage sludge treatment and disposal," and as such, the EJ Policy requires not only enhanced public participation through, "use of alternative media outlets such as community or ethnic newspapers.

---

[29] https://www.southcoasttoday.com/news/20190329/business-of-waste-parallel-products-and-neighbors-dont-see-it-same

[30] NEJAC, A Regulatory Strategy for Siting and Operating Waste Transfer Stations, v (2000), https://www.epa.gov/sites/production/files/2016-03/documents/waste-trans-reg-strtgy_1.pdf

[31] *Id.* at 27.

[32] DEIR, page 42.

[33] FEIR, pg. 177.

. . and translation of materials or interpretation services at public meetings,"[34] but also "substantively provides for enhanced analysis and review of impacts and mitigation in relation to projects that meet both conditions."[35]

This is appropriate, because for each of the Baseline Health indicators listed in the DEIR – Asthma Hospitalizations, Asthma Emergency Department Visits, Pediatric Asthma, Cancer, Chronic Obstructive Pulmonary Disease, Chronic Obstructive Pulmonary Hospitalization, Chronic Obstructive Pulmonary Emergency Department Visits, Acute Myocardial Infarction Hospitalizations, etc., -- New Bedford's rates are statistically elevated when compared to the statewide rates.[36]

Today, the Governor of Massachusetts is signing **An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy**, which includes significant environmental justice provisions, specifically the consideration of "cumulative impacts" from new projects. For communities like New Bedford, this new standard is, as it should be, a game changer.

Given the new standards this project will have to meet, and the burdens the community is already laboring under, the undersigned request that the Secretary require an enhanced environmental review and analysis of impacts which should include, at a minimum, baseline public health conditions within New Bedford and nearby communities, and on-site and off-site mitigation to reduce impacts on this frontline population.[37] A more comprehensive review of the Commonwealth's solid waste infrastructure is also warranted before siting yet another large facility in an EJ community, especially considering that six of the state's seven solid waste incinerators are already in EJ communities.[38]

III. Leachate-Contaminated Wastewater at the Proposed Transfer Station Poses a Risk to Water Quality.

The Proposed Transfer Station will collect waste liquids, including leachate, from the tipping floor and processing areas in a "floor drain system" and thence it will be trucked for disposal into a waste water treatment plant, or, if allowed, the New Bedford Sanitary Sewer.[26] The "fresh" leachate found at waste transfer stations contains high concentrations of heavy metals and

---

[34] City of Brockton v. Energy Facilities Site Bd., 49 Mass. 196 (2014), page 4.
[35] *Id.*
[36] DEIR, page 42-49
[37] Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs, Nos. 16 & 17, page 10. https://www.mass.gov/files/documents/2017/11/29/2017-environmental-justicepolicy_0.pdf
[38] Aging Waste Incinerators Pose a Danger to New Englanders, Kevin Budris December 9, 2019, https://www.clf.org/blog/aging-incinerators-pose-a-danger/ [26] DEIR, page 10.

nitrogen, high chemical oxygen demand values, and has a strong odor.[39] Leachate has also been found to contain Per- and Polyfluoroalkyl Substances ("PFAS"),[40] highly toxic human-made contaminants of emerging concern that pose a wide array of health risks, including cancer; growth, learning, and behavioral problems; infertility; and impaired immune, liver, thyroid, and pancreatic function.[41] Collecting the leachate and sending it to New Bedford and other waste water treatment plants will not "treat" or remove these contaminants from the leachate, instead the PFAS and other "forever chemicals" are released into our rivers and ocean.[42] Some waste water treatment plants have become so concerned about this prospect that they have canceled contracts to accept untreated leachate.[43] ***Given this, the leachate at the Proposed Facility should be tested and treated prior to sending it into a waste water treatment plant, and the Secretary should require that a supplemental Environmental Impact Report detail how the leachate would be tested and handled.***

IV. Gaps in Information

Proponent notes that this site was previously owned by Multilayer Coating Technologies, and before that by the Polaroid Corporation.[44] The Site was used by both previous owners to manufacture film.

The City of New Bedford retained Weston & Sampson Engineers, Inc. to review the environmental documentation pertaining to the Site, which was summarized in *City of New Bedford, Massachusetts, Parallel Products Document Review Report, January 2020* (the "Weston & Sampson Report"). *See Exhibit A.* Past conditions at the Site include:[45]

- Recycling of up to 5,800,000 gallons/year of Methyl Ethyl Ketone, Ethyl Acetate, and other non-specified solvents. The relevant RCRA permit does not discuss if the chemicals were handled properly, the housekeeping, or storage of the chemicals, which is unknown.
- Six underground storage tanks for fuel oil and Class A Flammable Fluids.

---

[39] Seyed Mohammad Dara Ghasimi, Batch Anaerobic Treatment of Fresh Leachate from Transfer Station, 3 Journal of Engineering Science and Technology 3, 257 (2008).
[40] Jessie J. O. King, Emerging Contaminants & Landfill Leachate, 30–48 (2019), http://www.scswana.org/resources/Documents/2019%20Spring%20Conference/08%20-%20King%20%20Emerging%20Contaiminants%20and%20LF%20Leachate.pdf.
[41] *See generally* U.S. Dept. of Health and Human Servs., Toxicological Profile for Perfluoroalkyls (2018), https://www.atsdr.cdc.gov/toxprofiles/tp200.pdf.
[42] *Toxic PFAS chemicals can be dumped into Merrimack River, federal and state officials say*, Cole Alder, November 6, 2019, https://pfasproject.com/2019/11/06/toxic-pfas-chemicals-can-be-dumped-intomerrimack-river-federal-and-state-officials-say/
[43] *Lowell water treatment plant to stop accepting toxic water from N.H. landfill*, The Boston Globe, David Abel, November 7, 2019, https://www.bostonglobe.com/metro/2019/11/07/lowell-water-treatmentplant-stop-accepting-toxic-water-from-landfill/tmXpsDYlCI6Bow0rovemkJ/story.html
[44] FEIR, at p. 11
[45] Weston & Sampson Report

- Drum storage up to 25,000 gallons (contents unspecified).
- 80,000 gallons capacity in eight separate above-ground storage tanks (contents unspecified).
- Propane tanks, cylinders, and storage.
- A series of large underground bunker fuel oil tanks.

Weston & Sampson concluded that the status of the tanks is unknown, and there is no closure documentation. Due to at least three releases at the Site, there have been groundwater monitoring activities and soil sampling in the past.[46] While Weston & Sampson concluded there was no evidence of ongoing releases, they did find that a number of data gaps and deficiencies existed.[47] They also found that residual impacts may be present which would need to be managed, and that the most recent soil and groundwater conditions were collected in the 1990s, constituting a data gas with respect to existing site conditions.[48]

Additionally, Weston & Sampson note that new reportable concentrations and cleanup standards under the Massachusetts Contingency Plan regulations have been promulgated for per- and poly-fluoroalkyl substances ("PFAS").

Weston & Sampson recommended an environmental assessment to evaluate current soil and groundwater at the Site, to establish a baseline, especially for emerging contaminants of concern like PFAS.[49] ***We, the undersigned, also recommend an environmental assessment be conducted and submitted by Proponent as part of a supplemental EIR, to not only establish a baseline, but to ensure that there are not existing conditions that would endanger the surrounding community due to the development and operation of the Proposed Facility.***

V. Sewage Sludge in the Commonwealth – No Plan, No Clear Direction

This year the undersigned learned that Aries LLC has proposed a large scale, regional, sewer sludge dryer and incinerator (using gasification) in Taunton, Massachusetts. *See Exhibit B.* Aries LLC originally was going to work with the Proponent in New Bedford, though that plan seems to have been abandoned. The undersigned are very concerned about the proliferation of sewage sludge treatment facilities in the region at a time when it is becoming more clear every day that MassDEP must set standards for PFAS emissions prior to allowing any long term infrastructure to be built. Furthermore, reasonable concerns about the toxicity of PFAS have caused any market for spreading dried sewage sludge to disappear.

[46] Weston & Sampson Report, pgs. 3.1-3.2
[47] Id, at 4.1
[48] Id.
[49] Id.

Both the New Bedford and Taunton proposals make clear that a plan for managing sewage sludge safely is desperately needed in Massachusetts. ***To avoid a "race to bottom," i.e., development of dangerous facilities in EJ communities competing for host fees, the Secretary should immediately place a moratorium on sewer sludge infrastructure until such time as the agency has developed a plan for the long-term management of sewer sludge that includes standards for protecting human health and the environment from PFAS.***

VI. Conclusion

Proponent defined this Proposed Facility as a Processing Facility that would divert recyclables in large numbers from disposal. In reality, it is a Transfer Station as it pertains to the baled MSW and C&D it accepts, and a Dirty MRF that will yield very little material that is actually recycled, just disposal for almost all of the loose MSW it accepts. None of the responses in the FEIR alter or even challenge this analysis. Given that, and the additional procedural requirements, as well as enhanced analysis due this Proposed Facility under the Environmental Justice Policy, the undersigned respectfully request that the Secretary issue a Certificate requiring the Proponent to generate a supplemental EIR, and provide guidance on the scope of additional study and analysis needed.

Thank you for your consideration.

Respectfully submitted,

Kirstie L. Pecci,
Interim VP of Environmental Justice
Director Zero Waste Program

Wendy M. Graca,
South Coast Neighbors United, Inc.
President

clf
conservation law foundation

South Coast Neighbors United, Inc.

COMMUNITY ACTION WORKS
Confront polluters. Seed solutions.

Sylvia Broude,
Community Action Works
Executive Director

Weston & Sampson℠

westonandsampson.com

55 Walkers Brook Drive, Suite 100
Reading, MA 01867
tel: 978.532.1900

REPORT

January 2020

CITY OF
New Bedford
MASSACHUSETTS

Parallel Products Document Review

TABLE OF CONTENTS

Page

LIST OF APPENDICES

1.0 INTRODUCTION

At the request of KP Law, P.C., acting as special counsel to the City of New Bedford (the City), Weston & Sampson Engineers, Inc. (Weston & Sampson) performed a review of environmental documentation pertaining to the Parallel Products site, located off of Duchaine Boulevard in New Bedford, Massachusetts (the "Site"). It is our understanding that Parallel Products is seeking to establish a recycling and disposal facility at this property. The City, through its counsel, KP Law, has asked Weston & Sampson to review certain documents regarding the Site. Specifically, Weston & Sampson reviewed existing information regarding the proposed use and current Massachusetts Department of Environmental Protection (MassDEP) Solid Waste and Bureau of Waste Site Cleanup regulations. Documents reviewed included the following submittals provided by the City:

- Stormwater Pollution Prevention & Sediment Erosion Control Plan (excerpts only);
- Recycling Permit – Massachusetts Department of Environmental Protection – Division of Hazardous Waste;
- Various storage tank records, State and local departments;
- Massachusetts Contingency Plan Documentation, Release Tracking Numbers 4-12272, 4-12617, 4-16316, 4-10113;

Note that this review was limited to the documents provided, as well as readily available supplemental information pertaining to the identified site releases and recycling permit, available from MassDEP databases. Based on our review of the aforementioned documents, Weston & Sampson offers comments regarding these submittals in Sections 2.0 through 4.0.

2.0 CONSERVATION COMMISSION PROVIDED DOCUMENT REVIEW

Weston & Sampson offers the following comments regarding the following submittals that were included in the document package provided by the Conservation Commission. Note that our review was limited to those documents or excerpts provided, and does not represent a comprehensive review of regulatory submittals, permits, or other documents regarding the site.

2.1 Stormwater Pollution Prevention & Erosion and Sediment Control Plan (2017)

The Stormwater Pollution Prevention Plan & Erosion and Sediment Control Plan (SWPP) was included in a Notice of Intent (NOI) submittal, which was part of an EPA National Pollutant Discharge Elimination System (NPDES) permit for the proposed construction project. A NPDES permit and SWPP is required for any construction project impacting an area greater than or equal to 1 acre. Only a limited excerpt of the SWPP was provided, therefore, a data gap exists. However, based on the information contained therein, the SWPP appears to meet its purpose and did not show evidence of a larger environmental concern in relation to the property or project.

2.2 Recycling Permit – Department of Environmental Protection Division of Hazardous Waste (1995)

This document relates to permitted recycling operations of Methyl Ethyl Ketone (MEK), Ethyl Acetate, and other non-specified solvents at up to 5,800,000 gallons / year as part of manufacturing operations for polaroid film media. Solvents were reportedly contained in a closed-loop distillation process, with overall hazardous waste generation for the facility tracked under Facility ID # MAD058060476 . The permit reportedly expired in 2000, and review of the overall facility tracking number through the RCRA Generator Database did not indicate any violations. It is unclear if operations continued after 2000, which represents a data gap. The RCRA permit does not discuss if chemicals were handled appropriately at the Site, only that chemicals were stored at the Site. The housekeeping and storage of the chemicals is an unknown, or data gap.

2.3 Various Storage Tank Records, State and Local Departments

The documents reviewed include several permit applications for licensing, maintenance, installation, and decommissioning of a series of underground storage tanks associated with No. 6 fuel oil, No. 2 fuel oil, and Class “A” Flammable Fluids. The Class “A” Flammable Fluids storage was originally licensed in 1970 and included permits for both drum storage as well as six underground tanks totaling 12,000-gallons of capacity. This license was amended in 1992 - 1993 to include the following:

- Drum storage up to 25,000 gallons (unspecified contents),
- 80,000-gallon capacity in eight separate above-ground storage tanks (unspecified contents),
- Various propane tanks, cylinders, and additional small lighter-than-air gas storage.

Further information may be available from the New Bedford Fire Department, however, based on the permit information provided and apparent lack of violations, conditions associated with flammable liquid storage are not expected to represent an environmental concern assuming all relevant permits are current and in accordance with state and local regulations. The condition of the tanks and storage vessels, as well as how they were filled / dispensed is unknown and is a data gap.

The documents reviewed also included an additional series of tank records relating to a series of large underground bunker fuel oil tanks, which appear to have been constructed around 1991 to service an on-site power plant. These tanks consist of three concrete bunkers, ten feet deep, with a shared

concrete slab foundation. In addition to providing fuel storage capacity, these structures served as foundational support for two concrete cooling towers, as well as acting as bermed containment basins for collection of tower condensate. Two of the tanks appear to have been decommissioned by 1998, with the contents removed and interior surfaces cleaned. The third bunker was retrofitted with three steel storage tanks for continued fuel oil storage in 1998 – 1999. However, due to concerns with differential settling and damage to the cooling towers and piping, these tanks were reportedly abandoned in place without backfilling.

The current status of the tanks is unknown from the documents provided, but due to the lack of closure documentation, it is possible that the steel fuel oil tanks remain active and in service. The lack of information constitutes a data gap. These tanks were reportedly gauged manually and groundwater monitoring wells in the vicinity of both the tanks were sampled for petroleum analysis. Further discussion of groundwater monitoring activities are provided in Section 3.0 under Release Tracking Number (RTN) 4-10113.

3.0 MASSACHUSETTS CONTINGENCY PLAN DOCUMENT REVIEW

Several documents issued by the MassDEP Bureau of Waste Site Cleanup (BWSC) were included in the provided files. Three separate Notices of Responsibility (NORs) identified releases of oil or hazardous material at addresses on Duchaine Boulevard, and are tracked under RTNs 4-12272, 4-12617, and 4-16316. Additionally, a Notice of Noncompliance (NON) was identified for RTN 4-10113 related to a fuel oil release from the on-site storage tanks discussed above. Available documentation pertaining to each RTN was reviewed through the BWSC Database for additional information, as summarized below.

3.1 RTN 4-12272

The provided NOR (dated July 1, 1996) does not specify the nature of the release / threat of release, and this RTN does not appear in the BWSC Database. It is possible that this RTN was issued in error or subsequently retracted. Therefore, Weston & Sampson cannot comment on this RTN due to lack of information.

3.2 RTN 4-12617

The provided NOR (dated November 6, 1996) references a release of 1,100 pounds of ethyl acetate to the atmosphere due to a misconfigured system after-burner. Response actions reportedly consisted of assessment only and no records for this RTN were found in the BWSC Database. Based on the nature of the release (i.e., to the atmosphere) and nature of requested response actions, conditions associated with RTN 4-12617 likely do not appear to represent a current environmental concern in association with the property.

3.3 RTN 4-16316

According to NOR Database records, in June 2001 Polaroid Wastewater Treatment Plant personnel identified a leak in a supply line from a sulfuric acid storage tank located within a concrete containment structure. During the course of investigating this release, impacts to underlying soils in the area of the sulfuric acid tank were discovered, and subsequently addressed through a series of remedial actions. The tank was emptied of its contents, concrete containment structure was demolished, tank emptied of contents, and 347 tons of soils underlying soils disposed of at a licensed off-site facility. Impacts were not identified in groundwater samples collected from the excavation. Based on the results of confirmatory sampling, a condition of No Significant Risk (NSR) was achieved and the release was closed with a Class A-1 Response Action Outcome (RAO) Statement. Based on the nature of the release, completed remedial activities, and current regulatory status, conditions associated with RTN 4-16316 does not appear to represent a current environmental concern in association with the property.

3.4 RTN 4-10113

Based on our review of the MassDEP documents associated with this release, in 1986, Polaroid personnel identified free-phase oil droplet petroleum present in the observation well for the bunker fuel oil tanks noted previously. GZA GeoEnvironmental, Inc. conducted monitoring of groundwater wells in the vicinity of the tanks from 1986 through at least 1993. Monitoring rounds identified sheen within wells, and one half inch of free-phase product was identified in a single well in November 1993, triggering a notification condition to MassDEP. Immediate Response Actions included purging this well of accumulated product and cleaning the well screen and riser. Subsequent monitoring of this well did not identify free-phase product. Laboratory analysis detected petroleum hydrocarbons, select volatile organic compounds including BTEX gasoline constituents, and tetrachloroethylene at concentrations below applicable MCP Method 1 Cleanup Standards. Fingerprint analysis of the petroleum product

confirmed the presence of weathered fuel oil. Based on the results of the groundwater sampling, GZA indicated a condition of NSR had been achieved and filed a Class B-1 RAO for the release in January 1994.

MassDEP conducted an audit of the Site in 1994 – 1995, which identified several deficiencies in the GZA RAO report, and issued the NON in 1995. These deficiencies included several administrative concerns, namely lack of MassDEP notification prior to conducting Immediate Response Actions and lack of notification to City officials following submittal of the RAO. Additionally, MassDEP indicated that based on the information provided, GZA had not demonstrated that free-phase product no longer existed in the subsurface, and additional assessment was required.

To address the NON findings, GZA conducted supplemental site assessment activities (including borings and monitoring well installation) in the vicinity of the well that contained free-phase product, and completed an additional round of groundwater sampling from the Site well network. Free-phase product was not identified in the wells, and soil and groundwater samples contained no detectable concentrations of petroleum hydrocarbons. Based on the supplemental data received, MassDEP concurred with GZA's assertion that a condition of NSR was achieved, and the audit findings were considered adequately addressed.

4.0 REVIEW SUMMARY AND COMMENTS

Weston & Sampson concludes that there is no evidence or indication of ongoing environmental releases or concerns associated with the documents reviewed, however a number of data gaps exist. Two RTNs had no information, and the other two RTNs associated with the property have achieved regulatory closure. Deficiencies identified in one RTN as part of a MassDEP audit appear to have been resolved through additional assessment activities undertaken by GZA, however residual impacts may be present, which would need to be managed as part of future construction.

Weston & Sampson notes however that the documentation did not include data or opinions on recent soil or groundwater conditions. The latest data associated with the site petroleum release was collected during the 1990s. Based on the continued industrial nature of the site, use as a recycling facility, and duration of time (i.e. approximately 20 years) without a comprehensive subsurface investigation or collection of additional information, the possibility exists that additional undocumented releases of oil or hazardous materials have occurred at the site. This lack of current soil and groundwater information represents a data gap with respect to existing site conditions.

Additionally, new regulations were promulgated in December 2019 under the Massachusetts Contingency Plan related to per- and poly-fluoroalkyl substances (PFAS). These changes include reportable concentrations and cleanup standards for these compounds, which were not previously regulated in the state. As such, testing for these compounds has not been performed at the site, but may be warranted based on the site use. A further environmental assessment, including collection of soil and groundwater samples for laboratory analysis, although not required under the Massachusetts Contingency Plan, may be warranted to evaluate current conditions of soil and groundwater at the Site. In light of the proposed expansion of operations, we would recommend assessment to establish a current baseline and evaluate emerging contaminants such as PFAs. The potential presence of PFAs may impact construction costs, future soil and groundwater management, as well as potential impacts to surrounding receptors.

APPENDIX A

Conservation Commission Provided Documents

Stormwater Pollution Prevention & Erosion and Sediment Control Plan for:

Owner(s):

Parallel Products located at:
20 Duchaine Boulevard
New Bedford, MA 02745

Contractor(s):

Farland Corp.
401 County Street
New Bedford, MA 02740
Phone: (508) 717-3479 Fax: (508) 717-3481

SWPPP Contact(s):

Matthew J. White
Farland Corp.
401 County Street
New Bedford, MA 02740
Phone: (508) 717-3479 Fax: (508) 717-3481

SWPPP Preparation Date:

November 2017

Estimated Project Dates:
Project Start Date: December 6, 2017
Project Completion Date: May 31, 2018

Prepared by:

FARLAND CORP.
ENGINEERING A BETTER TOMORROW
ENGINEERING | SITE WORK | LAND SURVEYING

(MAIN OFFICE) 401 COUNTY STREET, NEW BEDFORD, MA 02740 P 508.717.3479 F 508.717.3481 WWW.FARLANDCORP.COM

1.7 Site Features and Sensitive Areas to be Protected

Description of unique features that are to be preserved:
No disturbance is permitted beyond the proposed erosion control measures to be installed prior to construction. These barriers represent the limit of work permitted within the buffer zone to the surrounding BVW.

Describe measures to protect these features:
Straw wattles with Silt Fence and/or hay bale barriers will be installed at locations shown on the plans. Dedicated construction entrances are to be utilized during construction. The existing on-site drainage system will be protected by the appropriate erosion controls throughout construction.

1.8 Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:

- Grading and site excavation operations
- Vehicle tracking
- Topsoil stripping and stockpiling
- Landscape operations

Potential pollutants and sources, other than sediment, to stormwater runoff:

- Combined Staging Areas – small fueling activities, minor equipment maintenance, sanitary facilities and hazardous waste storage.
- Materials Storage Areas – general construction materials, solvents, adhesives, paving materials, paints, aggregates, trash, etc....
- Construction Activity – paving, curb/gutter installation, concrete pouring/mortar, etc...
- Concrete Washout Area (if necessary).

Aside from the above mentioned potential pollutants, there will be no treatment chemicals used for the means of reducing or treating stormwater runoff. The procedures outlined in the erosion control and natural buffers section above will sufficiently handle the stormwater runoff produced by this project, so no additional chemicals will be needed at this time. All other chemicals that may be encountered on site are listed below, and all have been chosen to be as minimally harmful as possible given the site conditions and soils.

Trade Name Material	Stormwater Pollutants	Location
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic	Herbicides used for noxious weed control
Fertilizer	Nitrogen, phosphorous	Newly seeded areas
Cleaning solvents	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No equipment cleaning allowed in project limits
Asphalt	Oil, petroleum distillates	Parking area
Concrete	Limestone, sand, pH, chromium	Curb and gutter
Glue, adhesives	Polymers, epoxies	Drainage construction
Paints	Metal oxides, Stoddard solvent, talc, calcium carbonate, arsenic	Parking striping
Curing compounds	Naphtha	Curb and gutter
Hydraulic oil/fluids	Mineral oil	Leaks or broken hoses from equipment
Gasoline	Benzene, ethyl benzene, toluene, xylene, MTBE	Secondary containment/staging area
Diesel fuel	Petroleum, distillate, oil & grease, naphthalene, xxylenes	Secondary containment/staging area
Kerosene	Coal oil, petroleum distillates	Secondary containment/staging area
Antifreeze/coolant	Ethylene glycol, propylene glycol, heavy metals (copper, lead, zinc)	Leaks or broken hoses from equipment
Sanitary toilets	Bacteria, parasites, and viruses	Staging area

1.9 Endangered Species Certification

Are endangered or threatened species and critical habitats on or near the project area?

☒ Yes ☐ No

Describe how this determination was made:

Farland Corp. has reviewed the potential for endangered or threatened species and critical

habitats by using the Fish and Wildlife Services On-line mapping tool (iPaC) located at https://ecos.fws.gov/ipac/ (accessed on 11/28/17) to determine if any exist on or around the project site, and that they might be affected by any construction activities. It was determined that there is one (1) species of threated wildlife that may be affected by said construction activitied.

If yes, describe the species and/or critical habitat:

The species found on the above referenced database is the Northern Long-Eared Bat. This species is classified as "threatened", and does not have a designated critical habitat.

If yes, describe or refer to documentation that determines the likelihood of an impact on identified species and/or habitat and the steps taken to address that impact. (Note, if species are on or near your project site, EPA strongly recommends that the site operator work closely with the appropriate field office of the U.S. Fish and Wildlife Service or National Marine Fisheries Service. For concerns related to state or tribal listing of species, please contact a state or tribal official.)

Due to the previously developed nature of the project site and surrounding area, a visual inspection has been conducted to determine the potential presences of the species as well as any potential impacts to its natural habitat. This site inspection was performed by Matthew White of Farland Corp. on May 15, 2017. Upon the completion of the inspection no specimens of the stated threatened species were encountered, and the proposed work to take place for this project will be mostly contained to the previously developed commercial areas of the site. In addition, there will be minimal to no impact on the existing wooded areas surrounding the project site.

1.10 Historic Preservation

Are there any historic sites on or near the construction site?

☐ Yes ☒ No

Describe how this determination was made:

Farland Corp. has reviewed the Massachusetts State Register of Historic Places available from the Division of Tourism – Massachusetts Historic Sites at http://www.mass.gov/portal/visiting-recreation/tourism/massachusetts-historic-sites.html (accessed on 11/28/17) to determine if any historic sites are on or near the Eversource Energy site in New Bedford, Massachusetts. No historic sites were identified from this review. Additionally, Farland Corp. has contacted The City of New Bedford's Historical Commission to verify that no historical sites or areas exist at the proposed work site. Farland Corp. described the location and nature of the work, and it was verified that there are no historic sites on or near the project area.

3

The Commonwealth of Massachusetts
Department of Public Safety
Division of Fire Prevention and Regulation

APPLICATION FOR PERMIT TO MAINTAIN AN EXISTING/NEW UNDERGROUND STORAGE FACILITY

TO: Head of Fire Department

New Bedford
City, Town or District

April 22, 1991
Date

Application is hereby made for a permit to maintain an existing/new underground storage facility as required by 527 CMR 9.00: Permits.

Location of property: 100 Duchaine Blvd.
Street Address

Owner of property: Polaroid Corporation
Full name of person, firm or corporation

Signature of owner or authorized representative: Richard L Chandler

FEE: $ 15.00 (M.G.L.A. Chapt. 148 Sec. 10A)

FORM F.P. 290
(rev. 10/90)

(Fire department's copy to be filed with F.P. 290 Part 2)

Department of Public Safety
Division of Fire Prevention and Regulation

Notification for Underground Storage Tanks

Submit to:
LOCAL FIRE DEPARTMENT

☒ A. NEW FACILITY ☐ B. AMENDED ☐ C. CLOSURE

3 No. of tanks at facility 0 No. of continuation sheets attached

INSTRUCTIONS

Please type or print in ink all items except "signature" in section V. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.

STATE USE ONLY

ID NUMBER FIRE DEPT. 05301

DATE RECEIVED 4-22-91

A. Date Entered Into Computer ____

B. Data Entry Clerk Initials ____

C. Owner Was Contacted to Clarify Responses. Comments

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1984, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) In the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) In the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

c) If the State agency so requires, any facility that has undergone any changes to facility information or tank system status (only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situate upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
POLAROID CORPORATION

Street Address
100 DUCHAINE BLVD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

Phone Number (Include Area Code) (508) - 998-5657

II. LOCATION OF TANK(S)

If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Example: Lat. 42, 36, 12 N Long. 85, 24, 17W

Latitude 41,42,56N Longitude 70,57,20W

(If same as Section I, mark box here ☒)

Facility Name or Company Site Identifier, as applicable
POLAROID CORPORATION

Street Address (P.O. Box not acceptable)
100 DUCHAINE BLVD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

III. TYPE OF OWNER

- ☐ Federal Government
- ☐ State Government
- ☐ Local Government
- ☒ Commercial
- ☐ Private

IV. INDIAN LANDS

Tanks are located on land within an Indian Reservation or on other trust lands. ☐

Tanks are owned by native American nation, tribe, or individual. ☐

Tribe or Nation: _____

V. TYPE OF FACILITY

Select the Appropriate Facility Description

____ Gas Station	____ Railroad	____ Trucking/Transport
____ Petroleum Distributor	____ Federal - Non-Military	____ Utilities
____ Air Taxi (Airline)	____ Federal - Military	____ Residential
____ Aircraft Owner	X Industrial	____ Farm
____ Auto Dealership	____ Contractor	____ Other (Explain) _____

VI. CONTACT PERSON IN CHARGE OF TANKS

Name	Job Title	Address	Phone Number (Include Area Code)
RICHARD JOYCE	POWER PLANT ENGINEER	POLAROID CORP 100 DUCHAINE BLVD NEW BEDFORD, MA	(508)-998-5647

VII. FINANCIAL RESPONSIBILITY

I have met the financial responsibility requirements in accordance with 40 CFR Subpart H ☒

Check All that Apply

☒ Self Insurance	☐ Guarantee	☐ State Funds
☐ Commercial Insurance	☐ Surety Bond	☐ Trust Fund
☐ Risk Retention Group	☐ Letter of Credit	☐ Other Method Allowed Specify

_____

VIII. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true,accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature	Date Signed
RICHARD L. CHANDLER SR. ENVIRONMENTAL ENGINEER	Richard L. Chandler	3/29/91

EPA estimates public reporting burden for this form to average 30 minutes per response including time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding this burden estimate to Chief, Information Policy Branch PM-223, U.S. Environmental Protection Agency, 401 M Street, Washington D.C. 20460, marked "Attention Desk Officer for EPA." This form amends the previous notification form as printed in 40 CFR Part 280, Appendix I.

IX. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No. ___	Tank No. ___
1. Status of Tank (mark only one) — Currently in Use	X	X	X		
Temporarily Out of Use (Remember to fill out section IX.)					
Permanently Out of Use (Remember to fill out section IX.)					
Amendment of Information					
2. Date of Installation (mo./year)	6/70	6/70	6/70		
3. Estimated Total Capacity (gallons)	167,000	163,000	38,000		
4. Material of Construction (Mark all that apply)					
Asphalt Coated or Bare Steel					
Cathodically Protected Steel					
Epoxy Coated Steel					
Composite (Steel with Fiberglass)					
Fiberglass Reinforced Plastic					
Lined Interior					
Double Walled					
Polyethylene Tank Jacket					
Concrete	X	X	X		
Excavation Liner					
Unknown					
Other, Please specify	FIBERGLASS/ EPOXY COATED	FIBERGLASS/ EPOXY COATED	FIBERGLASS/ EPOXY COATED		
Has tank been repaired?	NO	NO	NO		
5. Piping (Material) (Mark all that apply) — Bare Steel	X	X	X		
Galvanized Steel					
Fiberglass Reinforced Plastic					
Copper					
Cathodically Protected					
Double Walled					
Secondary Containment					
Unknown					
Other, Please specify					
6. Piping (Type) (Mark all that apply)					
Suction: no valve at tank					
Suction: valve at tank	X	X	X		
Pressure	X	X	X		
Gravity Feed					
Has piping been repaired?	NO	NO	NO		

Tank Identification Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No. ___	Tank No. ___
7..Substance Currently or Last Stored In Greatest Quantity by Volume					
Gasoline					
Diesel					
Gasohol					
Kerosene					
Heating Oil	X	X	X		
Used Oil					
Other, Please specify					
Hazardous Substance CERCLA name and/or, CAS number	FUEL OIL #6 68553-00-1	FUEL OIL #6 68553-00-1	FUEL OIL #2 68476-30-2		
Mixture of Substances Please specify					

X. TANKS OUT OF USE, OR CHANGE IN SERVICE N/A

1. Closing of Tank					
A. Estimated date last used (mo./day/year)					
B. Estimate date tank closed (mo./day/year)					
C. Tank was removed from ground					
D. Tank was closed in ground					
E. Tank filled with inert material					
Describe					
F. Change in service					
2. Site Assessment Completed					
Evidence of a leak detected					

XI. CERTIFICATION OF COMPLIANCE (COMPLETE FOR ALL NEW AND UPGRADED TANKS AT THIS LOCATION)

Tank Identification Number	Tank No. 1		Tank No. 2		Tank No. 3		Tank No. ___		Tank No. ___	
1. Installation N/A										
A. Installer certified by tank and piping manufacturers	☐		☐		☐		☐		☐	
B. Installer certified or licensed by the implementing agency	☐		☐		☐		☐		☐	
C. Installation inspected by a registered engineer	☐		☐		☐		☐		☐	
D. Installation inspected and approved by implementing agency	☐		☐		☐		☐		☐	
E. Manufacturer's installation check-lists have been completed	☐		☐		☐		☐		☐	
F. Another method allowed by State agency. Please specify.	☐		☐		☐		☐		☐	
2. Release Detection (Mark all that apply)	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING
A. Manual tank gauging	☒		☒		☒		☐		☐	
B. Tank tightness testing	☐		☐		☐		☐		☐	
C. Inventory controls	☐		☐		☐		☐		☐	
D. Automatic tank gauging	☐		☐		☐		☐		☐	
E. Vapor monitoring	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
F. Groundwater monitoring	☒	☒	☒	☒	☒	☒	☐	☐	☐	☐
G. Interstitial monitoring double walled tank/piping	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
H. Interstitial monitoring/secondary containment	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
I. Automatic line leak detectors	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
J. Line tightness testing		☐		☐		☐		☐		☐
K. Other method allowed by Implementing Agency. Please specify.	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	_____		_____		_____		_____		_____	
3. Spill and Overfill Protection										
A. Overfill device installed	☐		☐		☐		☐		☐	
B. Spill device installed	☐		☐		☐		☐		☐	

OATH: I certify the information concerning installation that is provided in section X is true to the best of my belief and knowledge.

Installer:

_____ Name

_____ Signature

_____ Date

_____ Position

_____ Company

CITY OF NEW BEDFORD

LICENSE

To Use a Building or Other Structure for the Keeping, Storage ~~or Sale~~ of

CRUDE PETROLEUM

or any of its Products

Fee $35.00

UNDER GENERAL LAWS CHAPTER 148, AS AMENDED

This is to certify that on Oct. 22, 1970 the City Council granted a license to use the land at Industrial Park-south end of Duchaine Blvd. (Polaroid Property)

on application of Polaroid Corp.

for keeping, storage ~~or sale~~ of products of crude petroleum, hereinafter specified, the premises, buildings or structures to be used being described as follows:

Building is constructed of concrete and is used as manufacturing plant

Products of crude petroleum to be kept, as well as number, kind and capacity of containers to be used

Class C (#6 fuel oil): 1 und. concrete tank 167,000 gals.
1 und. tank-163,000 gals. concrete tank
~~Class B (#2 fuel oil): 1 und. concrete tank 38,000 gals.~~
~~Class A fluids-1000 gals. in 5 and 55 gal. drums~~ (above ground set on covered concrete pad)
~~Class A fluids- 1 und. tank in 2 sections 4,000 gals. each~~
~~Class A fluids- 5 und. tanks -8,000 gals. each~~

Approved subject to compliance with the rules and regulations as enforced by the Chief of the Fire Department.

Allen M. Lingham
City Clerk

CERTIFICATE OF REGISTRATION MUST BE FILED ANNUALLY ON OR BEFORE APRIL 30

POST THIS LICENSE ON LICENSED PREMISES

Site Approved: --

previous license: 6/26/70

Notification for Removal or Closure of In Place Storage Tanks Regulated Under 527 CMR 9.00

Forward completed form, signed by local fire department, to: ***Mass. UST Compliance Unit, Dept. of Fire Services, P.O. Box 1025 - State Road, Stow, MA 01775***

Telephone (978) 567-3710

(Fire Department retains one copy of FP-290R)

Fire Dept. Use Only

Date Received: 9/24/99
Fire Dept. ID# 05201
Fire Dept. Sig. Dep. Lieut

This form is to be used for notification for removal of Underground Storage Tanks/ Piping.

If a storage facility has UST's which are to remain in use, an entire amended FP-290 (long form) must be filed.

State Use Only

A. Facility Number _____
B. Date Entered _____
C. Clerk's Initials _____
D. Comments _____

Note: "Facility street address" must include both a street number and a street name. Post office box numbers are not acceptable, and will cause a registration to be returned. If geographic location of facility is not provided, please indicate distance and direction from closest intersection, e.g., (facility at 199 North Street is located) **400 yards southeast of Commons Road** (Intersection).

I. Ownership of Tank(s)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
POLAROID CORPORATION

Street Address
100 DUCHAINE BOULEVARD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

Phone Number (Include Area Code) 781-386-7374

Owner's Employer Federal ID # _____

II. Location of Tank(s)

If known, give the geographic location of tanks by degrees, minutes, and seconds. Example: Lat. 42, 36, 12 N Long. 85, 24, 17W

Latitude 41, 42, 56 N Longitude 70, 57, 20 W

Distance and direction from closest intersection (see note above) POLAROID CORPORATION

Facility Name or Company Site Identifier, as applicable

100 DUCHAINE BOULEVARD
Street Address (P.O. Box not acceptable - see note above)

NEW BEDFORD MA 02745
City State Zip Code

County BRISTOL

III. Tanks/Piping Removed or Filled in Place

Tank Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No.	Tank No.
1. Tank/Piping removed or filled in place (mark all that apply)					
A. Substance last stored	#6 FUEL OIL	#6 FUEL OIL	#2 FUEL OIL		
B. Tank capacity gallons	167,000	163,000	38,000		
C. Estimated date last used (mo./day/yr.)	12/20/98	2/15/97	6/30/92		
D. Estimated date of removal (mo./day/yr.)	N/A	N/A	N/A		
E. Tank was removed from ground					
F. Tank was not removed from ground	X	X	X		
Tank was filled with inert material	NA	NA	NA		
Describe material used:	SEE ATTACHED (9/3/98 - PARSONS I+T GROUP)				
G. Piping was removed from ground					
H. Piping was not removed from ground	X	X	X		
I. Other, please specify					

FP-290R (revised 5/93)

with 527 CMR 9.00					
A. Evidence of leak detected	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
B. Mass. DEP notified	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No
1. Mass. DEP tracking number	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No
2. Agency or company performing contamination assessment *					

*527 CMR 9.07 (J), see "Commonwealth of Massachusetts, Underground Storage Tank Closure Assessment Manual" April 9, 1996 DEP Policy #WSC-402-96

I declare under penalty of perjury that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature:	Date:
STEPHEN A KECHES DIRECTOR OF MANUFACTURING OPERATIONS		9/20/99

PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP INC.

30 Dan Road • Canton, Massachusetts 02021-2809 • (781) 401-3200 • Fax: (781) 401-2575

September 3, 1998

Mr. Richard Chandler
Environmental Manager
Polaroid Corporation
100 Duchaine Boulevard, Bldg NB1
New Bedford, MA 02745

Project: NB2 Oil Tanks Installation
New Bedford, MA
Job No. 732140-02000

SUBJECT: Abandonment In-Place of Concrete Bunkers Classified as Underground Storage Tanks (UST)
Letter No. PP-23

Dear Mr. Chandler:

The purpose of this letter is to present the possible consequences of abandonment in-place of two concrete bunkers that are classified as UST, in accordance with Board of Fire Prevention Regulations.

BACKGROUND

The Board of Fire Prevention Regulations, 527CMR9.07(J)(1), requires that Underground Storage Tanks (UST) which are to be abandoned in-place must be filled with a concrete slurry mix or other inert material approved by the Marshall.

The USTs consist of three concrete bunkers, ten feet deep, with a common concrete slab foundation. The bunkers are separated with one-foot thick concrete walls, and are covered with a concrete roof.

- The two larger bunkers are each nominally 50 ft. x 50 ft. in plan, and have a storage capacity of 150,000 gallons. The roofs of these bunkers each support a cooling tower. Low concrete walls (18 inches) constructed around the perimeter enable the roofs to also serve as a basin for the collection of the cooling tower condensate water. The south bunker has been cleaned out, and will be used as a vault for the construction of three 23,000 gallon steel fuel oil storage tanks. The north bunker is proposed to be abandoned in place after all oil has been pumped out. The bunker will not be used for oil storage effective December 22, 1998.

- The third bunker is nominally 20 ft. x 20 ft. in plan with a storage capacity of 40,000 gallons, and is located on the east side of the north bunker. Any oil previously stored in this bunker has been pumped out, the bunker has been cleaned and is proposed to be abandoned in place.

POSSIBLE CONSEQUENCES OF ABANDONMENT IN-PLACE BY FILLING WITH CONCRETE

Soil conditions underlying the site of the existing USTs are described in a report prepared by Haley & Aldrich Inc. in June 1995 (Ref. 1). The report recommends an allowable bearing pressure of 3,000 psf for shallow foundations (footings and mats) constructed at this area of the Polaroid site. Estimated settlement at this bearing pressure is 1 inch total and 3/4 inch differential.

The maximum foundation loading which the soils underlying the existing USTs have experienced is approximately 1,200 psf. This includes the weight of concrete structure, fuel oil, cooling tower, and water contained in the cooling tower basin. If the north 150,000 gallon UST and the 40,000 gallon UST are filled with concrete, the foundation loading will become non-uniform. Soil bearing pressure below the concrete-filled north end of the structure will increase to about 2,500 psf., whereas the soil bearing pressure below the south end of the structure will reduce to less than 1,000 psf. This non-uniform loading will tend to produce non-uniform settlement of the structure towards the heavier north end. The magnitude of differential settlement is expected to be on the order of 1/2 inch.

Differential movement of this magnitude could be a concern with respect to the existing cooling water piping which runs underground from the boiler house to the cooling tower basin pump chamber and the fuel oil piping that runs underground from the boiler house to the pump room adjacent to the concrete bunkers. These rigid, heavy-wall pipes could be overstressed and might fail if subjected to excessive movement where they enter the concrete structure. In addition, differential movement could overstress portions of the structure itself, resulting in damage or failure.

If cracks should occur within the structure, leakage of cooling water either through the basin to the South bunker or through the wall of the sluice and wet well to the surrounding soils could result. In either case, the cooling tower could be rendered inoperative and could be damaged sufficiently so as to necessitate its demolition. Should the existing cooling tower become inoperative or require demolition, Polaroid would have to incur the expense of its replacement and the potential loss of production for lack of process cooling capability.

If you have any questions regarding the contents of this letter, please feel free to contact me at (781) 401-2555.

Very truly yours,

PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP, INC.

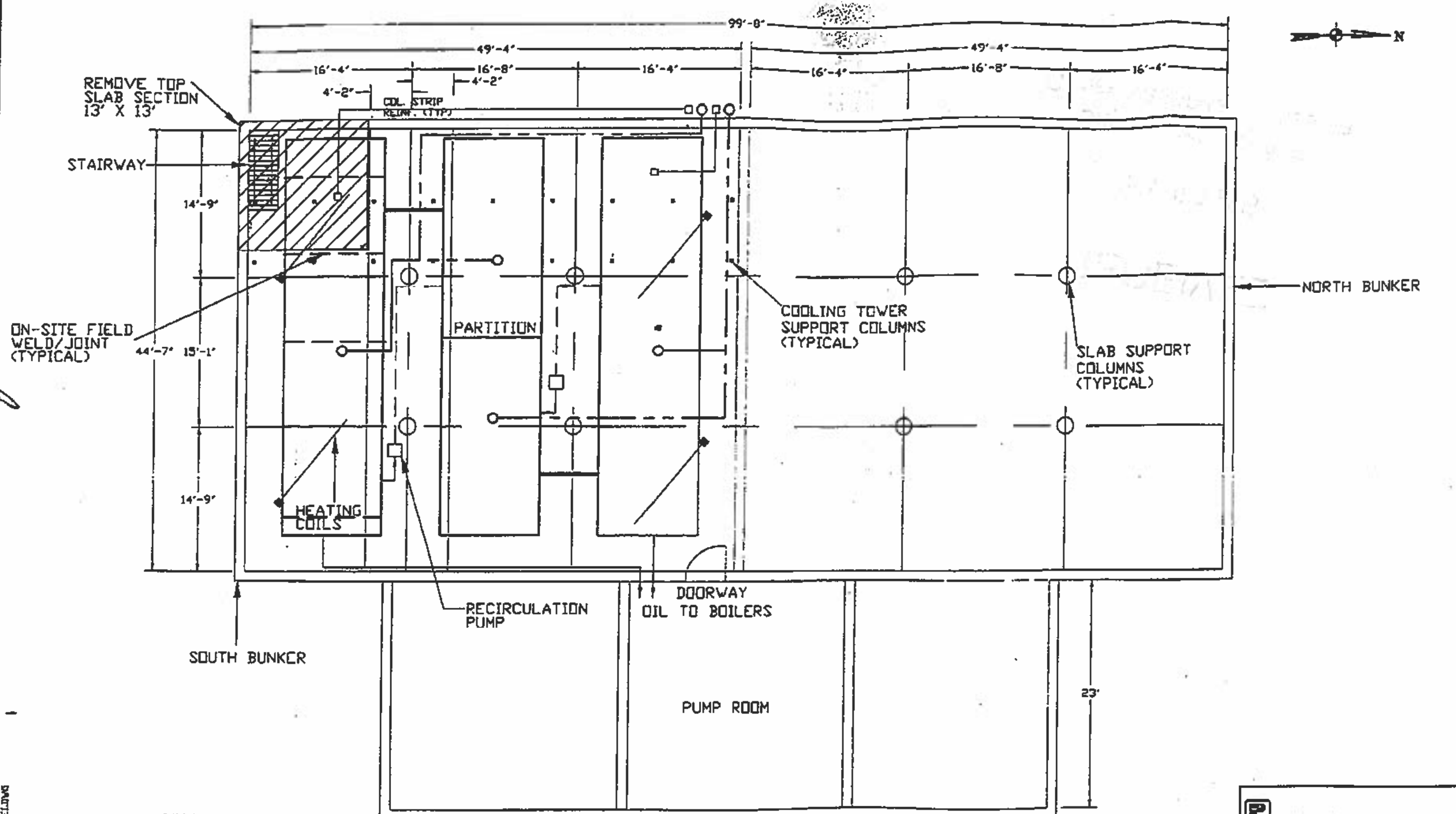
Damodar R. Pandit, P.E.
Chief Civil & Structural Engineer

REF. 1 Haley & Aldrich Inc. Report on Subsurface Investigations and Foundation Design Recommendations, Polaroid Corporation, NB2 Utilities Improvements, New Bedford, MA, 19 June 1995.

cc: Richard Trinidad, Polaroid
William Bodtman, Parsons
Anil Wagle, Parsons

#21389

Proposed Fuel Storage — 1997



NOTES:

TANKS 40' X 10' X 8' H
24,000 GALS.
(TYPICAL)
TOTAL CAPACITY: 72,000 GALLONS

- — — — RECIRCULATION LINE
- — - — VENT LINE
- ——— FILL LINE
- ——— LEVEL BALANCING CONNECTIONS

PLAN VIEW

SCALE 1"=10'

PARSONS
PARSONS ENGINEERING SCIENCE, INC.

POLAROID CORPORATION
NEW BEDFORD, MA

CONCEPTUAL LAYOUT OF FUEL OIL STORAGE TANKS
CASE I

SCALE: NA DATE: SEPTEMBER 1997 REV: NA

ACAD\PO_ARBID\BEDFORD\ASSIF\CASE1.DWG

#21389

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

RECEIVED

NOV 05 2019

City of New Bedford
Conservation Commission

JANE SWIFT
Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

COPY

URGENT LEGAL MATTER: PROMPT ACTION NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

July 10, 2001

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, MA 02745

RE: NEW BEDFORD - BWSC
100 Duchaine Blvd.
RTN# 4-16316

NOTICE OF RESPONSIBILITY
M.G.L. c. 21E, 310 CMR 40.0000

ATTENTION: Stephen A. Keches, Director of Manufacturing Operations

On June 18, 2001 at 4:55 PM the Department of Environmental Protection (the "Department") received oral notification of a release and/or threat of release of oil and/or hazardous material at the above referenced property that requires one or more response actions. Two thousand four hundred (2,400) gallons of Sulfuric Acid was released from a three thousand (3,000) gallon aboveground storage tank and an unknown volume of that was released into the environment.

The Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c.21E, and the Massachusetts Contingency Plan (the "MCP"), 310 CMR 40.0000, require the performance of response actions to prevent harm to health, safety, public welfare and the environment which may result from this release and/or threat of release and govern the conduct of such actions. The purpose of this notice is to inform you of your legal responsibilities under State law for assessing and/or remediating the release at this property. For purposes of this Notice of Responsibility, the terms and phrases used herein shall have the meaning ascribed to such terms and phrases by the MCP unless the context clearly indicates otherwise.

The Department has reason to believe that the release and/or threat of release which has been reported is or may be a disposal site as defined by the M.C.P. The Department also has reason to believe that you (as used in this letter, "you" refers to Polaroid Corporation) are a Potentially Responsible Party (a "PRP") with liability under M.G.L. c.21E §5, for response action costs. This liability is "strict", meaning that it is not based on fault, but solely on your status as owner, operator, generator, transporter, disposer or other person specified in M.G.L. c.21E §5. This liability is also "joint and several", meaning that you may be liable for all response action costs incurred at a disposal site regardless of the existence of any other liable parties.

The Department encourages parties with liabilities under M.G.L. c.21E to take prompt and appropriate actions in response to releases and threats of release of oil and/or hazardous materials. By taking prompt action, you may significantly lower your assessment and cleanup costs and/or avoid liability for

Unless otherwise provided by the Department, potentially responsible parties ("PRP's") have one year from the initial date of notification to the Department of a release or threat of a release, pursuant to 310 CMR 40.0300, or from the date the Department issues a Notice of Responsibility, whichever occurs earlier, to file with the Department one of the following submittals: (1) a completed Tier Classification Submittal; (2) a Response Action Outcome Statement or, if applicable, (3) a Downgradient Property Status. The deadline for either of the first two submittals for this disposal site is **June 18, 2002**. If required by the MCP, a completed Tier I Permit Application must also accompany a Tier Classification Submittal.

This site shall not be deemed to have had all the necessary and required response actions taken unless and until all substantial hazards presented by the release and/or threat of release have been eliminated and a level of No Significant Risk exists or has been achieved in compliance with M.G.L. c.21E and the MCP.

If you have any questions relative to this Notice, please contact Michael Moran at the letterhead address or at [redacted] All future communications regarding this release must reference the following Release Tracking Number: **4-16316**.

Very truly yours,

For

Richard F. Packard, Chief
Emergency Response / Release
Notification Section

P/MJM/re

CERTIFIED MAIL # 7099 3220 0002 0272 6834
RETURN RECEIPT REQUESTED

Attachments: Release Notification Form; BWSC-103 and Instructions
Summary of Liability under M.G.L. c.21E
Department's guide to hiring a Licensed Site Professional.

cc: GEI Consultants
1021 Main Street
Winchester, MA 01890
ATTN: Ian Phillips

Health Dept.
181 Hillman St.
New Bedford, MA 02740

Office of the Mayor
City Hall
181 Hillman St.
New Bedford, MA 02740

Fire Dept
868 Pleasant St.
New Bedford, MA 02740

(2)

21389

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

Polaroid

RECEIVED

NOV 05 2019

City of New Bedford
Conservation Commission

February 3, 1997

Deputy Chief Paul Leger
City Of New Bedford
New Bedford Fire Prevention Bureau
181 Hillman Street
New Bedford, MA 02740

Dear Deputy Chief Leger:

The purpose of this letter is to confirm our telephone conversation on Thursday, 1/30/97, notifying the New Bedford Fire Department of Polaroid Corporation's desire to restore to service a fuel oil underground storage bunker at its 100 Duchaine Boulevard location.

As we discussed, the "South" underground fuel oil storage bunker, (identified as Tank #1 on our FP-290 Notification , Fire Dept. ID# 05201), has developed a blockage at the suction inlet inside the bunker. Polaroid proposes to restore to service the "North" underground fuel oil storage bunker, (identified as Tank #2 on FP-290, ID# 05201) for a period of 90 days, in order to perform the appropriate maintenance on the "South" bunker.

After reviewing the sections of 527 CMR 9.05 and 9.07, highlighted in your fax of 1/30/97, it is Polaroid's contention that, due to the nature of its construction, leak testing of the "North" bunker is not possible using currently available testing methods. The pressurized piping system, which has secondary containment, is a common piping line for both bunkers and has never been out of service.

Therefore, Polaroid is requesting approval to restore the "North" bunker to service as soon as possible.

Please contact me @ (617) 386-7374 if you have any questions.

Sincerely,
POLAROID CORPORATION
Richard L Chandler
Richard L. Chandler
Division Environmental Mgr

APPROVED:
Paul Leger 2-3-97
Deputy Chief Paul Leger, New Bedford Fire Department

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

Polaroid

May 22, 1997

Deputy Chief Paul Leger
City Of New Bedford
New Bedford Fire Prevention Bureau
181 Hillman Street
New Bedford, MA 02740

Dear Deputy Chief Leger:

The purpose of this letter is to confirm our telephone conversation on Thursday, 5/19/97, notifying the New Bedford Fire Department of Polaroid Corporation's desire to have Clean Harbors remove liner material, in accordance with DEP standards and CMR 9, from a fuel oil underground storage bunker at its 100 Duchaine Boulevard location.

As we previously discussed, the "South" underground fuel oil storage bunker,(Identified as Tank #1 on our FP-290 Notification , Fire Dept. ID# 05201), had developed a blockage at the suction inlet inside the bunker. Polaroid received your approval to restore to service the "North" underground fuel oil storage bunker, (Identified as Tank #2 on FP-290, ID# 05201) for a period of 90 days, in order to perform the appropriate maintenance on the "South" bunker.

Polaroid is requesting approval to remove the liner material from the "South" bunker, in preparation for an upgrading project currently in the design stage. Polaroid is also requesting approval to indefinitely continue the "in service" status of the "North" bunker, pending resolution of the "South" bunker upgrade.

Please contact me @ (617) 386-7374 if you have any questions.

Sincerely,
POLAROID CORPORATION
Richard L. Chandler
Richard L. Chandler
Division Environmental Mgr.

APPROVED:
Paul Leger
Deputy Chief Paul Leger, New Bedford Fire Department

(3)

#21389

Form FP 6 Rev. 12/97

The Commonwealth of Massachusetts

Department of Fire Services

Office of the State Fire Marshal

P.O. Box 1025, State Road, Stow, MA 01775

APPLICATION FOR PERMIT

Date: Dec. 16, 19 98

New Bedford (City or Town) Permit No NA (If Applicable)

DIG SAFE NUMBER
M.G.L. C. 82, S. 40
NA
Start Date

In accordance with the provisions of M.G.L. Chapter 148, as provided in Section CMR #9 application is hereby made

by Polaroid Corporation
(Full name of person, Firm or Corporation)

Address 100 Duchaine Blvd. (Street or P.O. Box) New Bedford (City or Town)

For permission to install: 3 - 22,740 gal. ea. rectangular horizontal steel tanks with #6 fuel oil

State clearly purpose for which permit is requested

(TO BE INSTALLED IN A CONCRETE BUNKER BELOW COOLING TOWERS)

Name of competent operator (If Applicable) Cert. No.

Date Issued ~~XXXXXX~~ 12/15 19 98 By Richard L Chandler (Signature of Applicant)

Date of expiration NA 19

Fee $ 75.00 Paid ✓ Due

RECEIVED

NOV 05 2019

City of New Bedford
Conservation Commission

(4)

The Commonwealth of Massachusetts
Department of Fire Services
Office of the State Fire Marshal
Post Office Box 1025, Stow, Massachusetts 01775
(978) 567-3300 Fax: (978) 567-3199

Application for Inspection

of plans for construction or installation of tanks in excess of 10,000 capacity, for aboveground storage of fluids other than water

Note: Application must be submitted in triplicate. **MINIMUM FEE ONE HUNDRED DOLLARS PER TANK WITH A CAPACITY OF NOT MORE THAN 100,000 GALLONS.** For each gallon over 1,000 an additional fee of one dollar shall be paid per gallon. Two sets of plans must accompany this application. When approved this application becomes the permit to build, install or repair tank. When tank has been built, tested and approved, a certification for it's use will be issued. Please enclose all materials and send to:

Office of the State Fire Marshal, Code Compliance Unit, P.O. Box 1025, Stow, MA 01775

Name of applicant for permit Polaroid Corporation

Business address of applicant 100 Duchaine Boulevard New Bedford, MA 02745

Location of Tank In concrete bunker below coolin towers

Description of tank Three rectangular horizontal steel tanks height of length 38'x8'

Capacity in gallons 68,220 gal (22,740 gal ea.) fee $300 diameter 10'

Kind of fluid to be stored in tank Number 6 Fuel Oil

State number and title of plans submitted 3 sets NB2 Oil Tank Upgrade, Polaroid Corp. New Bedford

---

Material Specification for Roof ASTM-A-36 Shell ASTM-A-36 Bottom ASTM-A-36

Types of joints Butt, Corner, Lap, Tee

Welding rod number AWS ER70S-6 Has welding procedure been submitted Yes

Thickness of Shell rings and number of rings 5/16" Tensile strength 58,000

Thickness of Roof 5/16" of Bottom 5/16" Tensile strength 58,000

Description of retaining basin and its capacity not applicable

---

Has a permit been issued by the local authority Yes Signature Paul Ryan Deputy

Has local Fire Chief been consulted Paul Ryan Dep.
Approve signature Disapproved signature

Manufacture of the tank Containment Solutions

Business address 6740 Bay Meadow Drive Glen Burnie, MD 21060

Tank to be Manufacture according to A.P.I. 650/UL 142 A.S.M.E. n/a 527 CMR 9.00 Yes

Signature of applicant or agent Dallas M. Dorland

Business address of applicant or agent POLAROID CORPORATION, 100 DUCHAINE BLVD, NEW BEDFORD MA, 02745

PERMIT TO BUILD, INSTALL OR REPAIR TANK:

APPROVED: Edward H. Kelly C.F.O. 9/24/98
State Fire Marshal or his designee

State Tag # _____ File # 0010

Print Last Name _____ Social Security Number _____

I certify under the penalties of perjury that to the best of my knowledge and belief I have filed all state tax returns and paid all state taxes required under the law.

Signature Dallas M. Dalbard *Date* 2 Sept 98

NOTE: PERMIT WILL NOT BE ISSUED UNLESS THIS ATTESTATION HAS BEEN COMPLETED AND SIGNED BY THE OWNER. (AUTHORITY: C. 62C, S, 49A M.G.L. AS AMENDED BY CHAPTER 233, ACTS OF 1983)

Checklist

Please remember to include all of the following and mail to Office of the State Fire Marshal, Code Compliance Unit, P.O. Box 1025, Stow, MA 01775

- ☐ Application in triplicate.
- ☐ FEE - MINIMUM FEE ONE HUNDRED DOLLARS PER TANK WITH A CAPACITY OF NOT MORE THAN 100,000 GALLONS. For each gallon over 1,000 an additional fee of one dollar shall be paid.
- ☐ Two sets of plans.

(5)

Notification for Removal or Closure of In Place Storage Tanks Regulated Under 527 CMR 9.00

Forward completed form, signed by local fire department, to: ***Mass. UST Compliance Unit, Dept. of Fire Services, P.O. Box 1025 - State Road, Stow, MA 01775***

Telephone (978) 567-3710

(Fire Department retains one copy of FP-290R)

Fire Dept. Use Only

Date Received: 9/24/98
Fire Dept. ID# 05201
Fire Dept. Sig. Dep. Insp

This form is to be used for notification for removal of Underground Storage Tanks/ Piping.

If a storage facility has UST's which are to remain in use, an entire amended FP-290 (long form) must be filed.

State Use Only

A. Facility Number _____
B. Date Entered _____
C. Clerk's Initials _____
D. Comments _____

Note: "Facility street address" must include both a street number and a street name. Post office box numbers are not acceptable, and will cause a registration to be returned. If geographic location of facility is not provided, please indicate distance and direction from closest intersection, e.g., (facility at 199 North Street is located) 400 yards southeast of Commons Road (intersection).

I. Ownership of Tank(s)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
POLAROID CORPORATION

Street Address
100 DUCHAINE BOULEVARD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

Phone Number (Include Area Code) 781-386-7374

Owner's Employer Federal ID #

II. Location of Tank(s)

If known, give the geographic location of tanks by degrees, minutes, and seconds. Example: Lat. 42, 36, 12 N Long. 85, 24, 17W

Latitude 41, 42, 56 N Longitude 70, 57, 20 W

Distance and direction from closest intersection (see note above)

Facility Name or Company Site Identifier, as applicable
POLAROID CORPORATION

Street Address (P.O. Box not acceptable - see note above)
100 DUCHAINE BOULEVARD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

III. Tanks/Piping Removed or Filled in Place

Tank Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No.	Tank No.
1. Tank/Piping removed or filled in place (mark all that apply)					
A. Substance last stored	#6 FUEL OIL	#6 FUEL OIL	#2 FUEL OIL		
B. Tank capacity gallons	167,000	169,000	38,000		
C. Estimated date last used (mo./day/yr.)	12/20/98	2/15/97	6/30/92		
D. Estimated date of removal (mo./day/yr.)	N/A	N/A	N/A		
E. Tank was removed from ground					
F. Tank was not removed from ground	X	X	X		
Tank was filled with inert material	NA	NA	NA		
Describe material used:	SEE ATTACHED (9/3/98 - PARSONS I&T GROUP)				
G. Piping was removed from ground					
H. Piping was not removed from ground	X	X	X		
I. Other, please specify					

FP-290R (revised 5/98)

with 527 CMR 9.00					
A. Evidence of leak detected	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
B. Mass. DEP notified	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No
1. Mass. DEP tracking number	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No
2. Agency or company performing contamination assessment *					

*527 CMR 9.07 (J), see "Commonwealth of Massachusetts, Underground Storage Tank Closure Assessment Manual" April 9, 1996 DEP Policy #WSC-402-96

I declare under penalty of perjury that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature:	Date:
STEPHEN A KECHES DIRECTOR OF MANUFACTURING OPERATIONS		9/20/99

PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP INC.

30 Dan Road • Canton, Massachusetts 02021-2809 • (781) 401-3200 • Fax: (781) 401-2575

September 3, 1998

Mr. Richard Chandler
Environmental Manager
Polaroid Corporation
100 Duchaine Boulevard, Bldg NB1
New Bedford, MA 02745

Project: NB2 Oil Tanks Installation
New Bedford, MA
Job No. 732140-02000

SUBJECT: Abandonment In-Place of Concrete Bunkers Classified as Underground Storage Tanks (UST)
Letter No. PP-23

Dear Mr. Chandler:

The purpose of this letter is to present the possible consequences of abandonment in-place of two concrete bunkers that are classified as UST, in accordance with Board of Fire Prevention Regulations.

BACKGROUND

The Board of Fire Prevention Regulations, 527CMR9.07(J)(1), requires that Underground Storage Tanks (UST) which are to be abandoned in-place must be filled with a concrete slurry mix or other inert material approved by the Marshall.

The USTs consist of three concrete bunkers, ten feet deep, with a common concrete slab foundation. The bunkers are separated with one-foot thick concrete walls, and are covered with a concrete roof.

- The two larger bunkers are each nominally 50 ft. x 50 ft. in plan, and have a storage capacity of 150,000 gallons. The roofs of these bunkers each support a cooling tower. Low concrete walls (18 inches) constructed around the perimeter enable the roofs to also serve as a basin for the collection of the cooling tower condensate water. The south bunker has been cleaned out, and will be used as a vault for the construction of three 23,000 gallon steel fuel oil storage tanks. The north bunker is proposed to be abandoned in place after all oil has been pumped out. The bunker will not be used for oil storage effective December 22, 1998.

- The third bunker is nominally 20 ft. x 20 ft. in plan with a storage capacity of 40,000 gallons, and is located on the east side of the north bunker. Any oil previously stored in this bunker has been pumped out, the bunker has been cleaned and is proposed to be abandoned in place.

POSSIBLE CONSEQUENCES OF ABANDONMENT IN-PLACE BY FILLING WITH CONCRETE

Soil conditions underlying the site of the existing USTs are described in a report prepared by Haley & Aldrich Inc. in June 1995 (Ref. 1). The report recommends an allowable bearing pressure of 3,000 psf for shallow foundations (footings and mats) constructed at this area of the Polaroid site. Estimated settlement at this bearing pressure is 1 inch total and 3/4 inch differential.

The maximum foundation loading which the soils underlying the existing USTs have experienced is approximately 1,200 psf. This includes the weight of concrete structure, fuel oil, cooling tower, and water contained in the cooling tower basin. If the north 150,000 gallon UST and the 40,000 gallon UST are filled with concrete, the foundation loading will become non-uniform. Soil bearing pressure below the concrete-filled north end of the structure will increase to about 2,500 psf., whereas the soil bearing pressure below the south end of the structure will reduce to less than 1,000 psf. This non-uniform loading will tend to produce non-uniform settlement of the structure towards the heavier north end. The magnitude of differential settlement is expected to be on the order of 1/2 inch.

Differential movement of this magnitude could be a concern with respect to the existing cooling water piping which runs underground from the boiler house to the cooling tower basin pump chamber and the fuel oil piping that runs underground from the boiler house to the pump room adjacent to the concrete bunkers. These rigid, heavy-wall pipes could be overstressed and might fail if subjected to excessive movement where they enter the concrete structure. In addition, differential movement could overstress portions of the structure itself, resulting in damage or failure.

If cracks should occur within the structure, leakage of cooling water either through the basin to the South bunker or through the wall of the sluice and wet well to the surrounding soils could result. In either case, the cooling tower could be rendered inoperative and could be damaged sufficiently so as to necessitate its demolition. Should the existing cooling tower become inoperative or require demolition, Polaroid would have to incur the expense of its replacement and the potential loss of production for lack of process cooling capability.

If you have any questions regarding the contents of this letter, please feel free to contact me at (781) 401-2555.

Very truly yours,

PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP, INC.

Damodar R. Pandit, P.E.
Chief Civil & Structural Engineer

REF. 1 Haley & Aldrich Inc. Report on Subsurface Investigations and Foundation Design Recommendations, Polaroid Corporation, NB2 Utilities Improvements, New Bedford, MA, 19 June 1995.

cc: Richard Trinidad, Polaroid
William Bodtman, Parsons
Anil Wagle, Parsons

(6)

UL Approval for Above Ground

Above ground ??

UL listing for on site

Secondary Containment - 3 tanks ⇒

⇒ 24,000 gal.

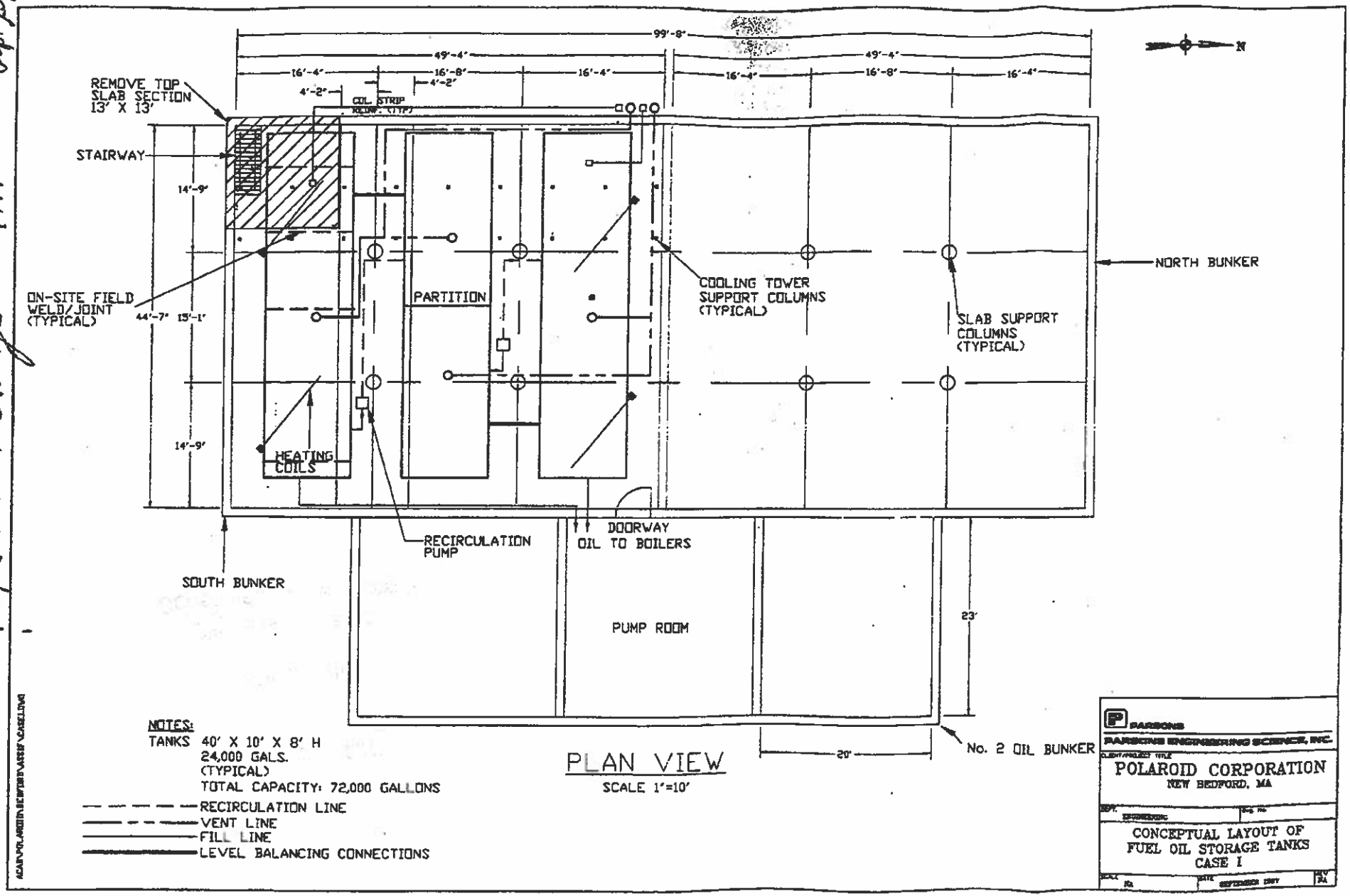
Licenses for Fuel oil ??

State - UST Program.

12/97 Proposed fuel storage

T. 2/3/97

#21389



NOTES:
TANKS 40' X 10' X 8' H
24,000 GALS.
(TYPICAL)
TOTAL CAPACITY: 72,000 GALLONS

RECIRCULATION LINE
VENT LINE
FILL LINE
LEVEL BALANCING CONNECTIONS

PLAN VIEW
SCALE 1"=10'

PARSONS
PARSONS ENGINEERING SCIENCE, INC.

POLAROID CORPORATION
NEW BEDFORD, MA

CONCEPTUAL LAYOUT OF
FUEL OIL STORAGE TANKS
CASE I

(8)

#21389

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE

WILLIAM F. WELD
Governor

ARGEO PAUL CELLUCCI
Lt. Governor

TRUDY COXE
Secretary

DAVID B. STRUHS
Commissioner

URGENT LEGAL MATTER: PROMPT ACTION NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

COPY

November 6, 1996

Polaroid Corporation
50 Duchaine Boulevard
New Bedford, Massachusetts

RE: NEW BEDFORD--BWSC
50 Duchaine Boulevard
Building NB#6
RTN: 4-12617

NOTICE OF RESPONSIBILITY
M.G.L. c. 21E, 310 CMR 40.0000

ATTENTION: Jeanne Benjamin

On November 4, 1996, at 5:20 p.m., the Department of Environmental Protection (the "Department") received oral notification of a release and/or threat of release of oil and/or hazardous material at the above referenced property which requires one or more response actions. The after burners in the coating production line were not in the right position, allowing approximately 1,100 pounds of ethyl acetate to vent to the atmosphere.

The Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c.21E, and the Massachusetts Contingency Plan (the "MCP"), 310 CMR 40.0000, require the performance of response actions to prevent harm to health, safety, public welfare and the environment which may result from this release and/or threat of release and govern the conduct of such actions. The purpose of this notice is to inform you of your legal responsibilities under State law for assessing and/or remediating the release at this property. For purposes of this Notice of Responsibility, the terms and phrases used herein shall have the meaning ascribed to such terms and phrases by the MCP unless the context clearly indicates otherwise.

The Department has reason to believe that the release and/or threat of release which has been reported is or may be a disposal site as defined by the M.C.P. The Department also has reason to believe that you (as used in this letter, "you" and "your" refers

to Polaroid Corporation) are a Potentially Responsible Party (a "PRP") with liability under M.G.L. c.21E §5, for response action costs. This liability is "strict", meaning that it is not based on fault, but solely on your status as owner, operator, generator, transporter, disposer or other person specified in M.G.L. c.21E §5. This liability is also "joint and several", meaning that you may be liable for all response action costs incurred at a disposal site regardless of the existence of any other liable parties.

The Department encourages parties with liabilities under M.G.L. c.21E to take prompt and appropriate actions in response to releases and threats of release of oil and/or hazardous materials. By taking prompt action, you may significantly lower your assessment and cleanup costs and/or avoid liability for costs incurred by the Department in taking such actions. You may also avoid the imposition of, the amount of or reduce certain permit and/or annual compliance assurance fees payable under 310 CMR 4.00. Please refer to M.G.L. c.21E for a complete description of potential liability. For your convenience, a summary of liability under M.G.L. c.21E is attached to this notice.

You should be aware that you may have claims against third parties for damages, including claims for contribution or reimbursement for the costs of cleanup. Such claims do not exist indefinitely but are governed by laws which establish the time allowed for bringing litigation. The Department encourages you to take any action necessary to protect any such claims you may have against third parties.

At the time of verbal notification to the Department, the following response actions were approved as an Immediate Response Action (IRA):

- Assessment only.

ACTIONS REQUIRED

Additional submittals are necessary with regard to this notification including, but not limited to, the filing of a written IRA Plan, IRA Completion Statement and/or a Response Action Outcome (RAO) statement. **The MCP requires that a fee of $750.00 be submitted to the Department when an RAO statement is filed greater than 120 days from the date of initial notification.** Specific approval is required from the Department for the implementation of all IRAs and Release Abatement Measures (RAMs). Assessment activities, the construction of a fence and/or the posting of signs are actions that are exempt from this approval requirement.

In addition to oral notification, 310 CMR 40.0333 requires that a completed Release Notification Form (BWSC-103, attached) be submitted to the Department within sixty (60) calendar days of November 4, 1996.

You must employ or engage a Licensed Site Professional (LSP) to manage, supervise or actually perform the necessary response actions at this site. You may obtain a list of the names and addresses of these licensed professionals from the Board of Registration of Hazardous Waste Site Cleanup Professionals at (617) 556-1145.

Unless otherwise provided by the Department, potentially responsible parties ("PRP's") have one year from the initial date of notification to the Department of a release or threat of a release, pursuant to 310 CMR 40.0300, or from the date the Department issues a Notice of Responsibility, whichever occurs earlier, to file with the Department one of the following submittals: (1) a completed Tier Classification Submittal; (2) a Response Action Outcome Statement or, if applicable, (3) a Downgradient Property Status. The deadline for either of the first two submittals for this disposal site is **November 4, 1997**. If required by the MCP, a completed Tier I Permit Application must also accompany a Tier Classification Submittal.

This site shall not be deemed to have had all the necessary and required response actions taken unless and until all substantial hazards presented by the release and/or threat of release have been eliminated and a level of No Significant Risk exists or has been achieved in compliance with M.G.L. c.21E and the MCP.

If you have any questions relative to this notice, please contact Dan Crafton at the letterhead address or at (508) 946-2865. All future communications regarding this release must reference the following Release Tracking Number: **4-12617**.

Very truly yours,

Richard F. Packard

Richard F. Packard, Chief
Emergency Response / Release
Notification Section

P/DC/jt

CERTIFIED MAIL #P606 845 527
RETURN RECEIPT REQUESTED

Attachments: Release Notification Form; BWSC-103 and Instructions
Summary of Liability under M.G.L. c.21E

cc: City of New Bedford
Office of the Mayor
City Hall
133 William Street
New Bedford, MA 02740

cc: City of New Bedford
Health Department
181 Hillman Street
New Bedford, MA 02740

City of New Bedford
Fire Department
868 Pleasant Street
New Bedford, MA 02740

DEP - SERO
ATTN: Andrea Papadopoulos, Deputy Regional Director

DEP - SERO - BWSC
ATTN: Data Entry

(9)

#21389

RECEIVED

NOV 05 2019

City of New Bedford
Conservation Commission

Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Protection
Southeast Regional Office

William F. Weld
Governor
Trudy Coxe
Secretary, EOEA
David B. Struhs
Commissioner

URGENT LEGAL MATTER: PROMPT ACTION NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

COPY

July 1, 1996

Polaroid Corp.
50 Duchaine Boulevard
N.Bedford, Massachusetts 02745-1201

RE: NEW BEDFORD--BWSC
50 Duchaine Boulevard
RTN: 4-12272

NOTICE OF RESPONSIBILITY
M.G.L. c. 21E, 310 CMR 40.0000

On June 22, 1996, at 10:10 a.m., the Department of Environmental Protection (the "Department") received oral notification of a release and/or threat of release of oil and/or hazardous material at the above referenced property which requires one or more response actions.

The Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c.21E, and the Massachusetts Contingency Plan (the "MCP"), 310 CMR 40.0000, require the performance of response actions to prevent harm to health, safety, public welfare and the environment which may result from this release and/or threat of release and govern the conduct of such actions. The purpose of this notice is to inform you of your legal responsibilities under State law for assessing and/or remediating the release at this property. For purposes of this Notice of Responsibility, the terms and phrases used herein shall have the meaning ascribed to such terms and phrases by the MCP unless the context clearly indicates otherwise.

The Department has reason to believe that the release and/or threat of release which has been reported is or may be a disposal site as defined by the M.C.P. The Department also has reason to believe that you (as used in this letter, "you" and "your" refers to Polaroid Corp.) are a Potentially Responsible Party (a "PRP") with liability under M.G.L. c.21E §5, for response action costs. This liability is "strict", meaning that it is not based on fault, but solely on your status as owner, operator, generator,

cc: City of New Bedford
Health Department
181 Hillman Street
New Bedford, MA 02740
ATTN: Dr. David Constantine

City of New Bedford
Fire Department
868 Pleasant Street
New Bedford, MA 02740
ATTN: Chief Roger Nadeau

DEP - SERO
ATTN: Andrea Papadopoulos, Deputy Regional Director

RECEIVED (10)

NOV 05 2019

City of New Bedford
Conservation Commission

#21389

Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Protection
Southeast Regional Office

William F. Weld
Governor
Trudy Coxe
Secretary, EOEA
Thomas B. Powers
Acting Commissioner

COPY

April 13, 1995

Richard L. Chandler
Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

RE: NEW BEDFORD--WSC/ASM-4-10113
Polaroid Power Plant
100 Duchaine Boulevard
NOTICE OF NON-COMPLIANCE/
NOTICE OF AUDIT FINDINGS
M.G.L. c.21E and MCP,
310 CMR 40.0000
NON-SE-95-3041

NOTICE OF NON-COMPLIANCE/NOTICE OF AUDIT FINDINGS

This is an important Notice. Failure to take adequate action in response to this Notice could result in serious legal consequences.

Dear Mr. Chandler:

The Department of Environmental Protection (the "Department"), on October 4, 1994, issued a Notice of Audit/Request for Information informing you (as used herein "you" refers to the Polaroid Corporation) that the Department was conducting an audit of certain activities related to the above-referenced disposal site pursuant to 310 CMR 40.1100. That audit is now complete. The purpose of this Notice is to inform you that, as a result of the audit, the Department has determined that activity occurred at the site which is in non-compliance with one or more laws, regulations, orders, licenses, permits, or approvals enforced by the Department. The activity which is in non-compliance and the measures the Department wants you to take to come into compliance are described in the Notice of Non-Compliance. In addition, the audit identified certain deficiencies in response actions conducted at the subject site. The deficiencies and measures you should take to address them, if any, are also described below.

The audit included a review of the following:

- Notification Requirements.
- Immediate Response Actions (IRA).
- Risk Characterization.
- Response Action Outcome (RAO) Statement.

The audit consisted of the following activities:

- A review of documents contained in the Department's files including the reports titled "Fuel Oil Release Characterization, Underground Storage Tanks, 100 Duchaine Boulevard, New Bedford, Massachusetts" dated January 1994 and "New Bedford-WSC/ASM-4-10113, Polaroid Power Plant Building, 100 Duchaine Boulevard, Response to the Notice of Audit/Request for Information" dated October 1994, both prepared by GZA GeoEnvironmental, Incorporated (GZA) and a class B-1 RAO Statement prepared by John J. Spirito, Licensed Site Professional (LSP) Number 8403.
- A Notice of Audit/Request for Information dated October 4, 1994.

SITE SUMMARY

The area of the three (3) concrete underground storage tanks (the "Site") is located west of the Polaroid Power Plant Building (Polaroid) located on Duchaine Boulevard in New Bedford, Massachusetts. Two (2) of the tanks have a capacity of approximately 150,000 gallons and contain number 6 fuel oil. The third tank has a capacity of 40,000 gallons and contains number 2 fuel oil.

In December 1986, GZA conducted a subsurface investigation in the vicinity of the underground storage tanks. The investigation consisted of the execution of nine (9) borings, the installation of three (3) well points and eight (8) monitoring wells and the collection, field screening and analysis of soil, groundwater and surface water samples. Review of the data revealed that total volatile organics ranged between 0.6 and 5.8 parts per million (ppm) in the soil, methane ranged between 0.05 and 8.20 ppm in the samples collected from the wetlands and the well installed by Polaroid, and total petroleum hydrocarbons (TPH) existed at a concentration of 920 ppm in the sample collected from the vertical corrugated metal observation pipe (CMP) located south of the underground storage tanks. Additionally, a sample was collected from the CMP and submitted to ERCO for hydrocarbon fingerprinting. Review of this data revealed that number 6 fuel oil was present in the groundwater.

At Polaroid's request, GZA monitored groundwater conditions at the site every year since 1987. The monitoring program consisted of the measurement of depth to groundwater and separate phase product, if applicable in each monitoring well, the visual observation of a groundwater sample from each well for evidence of a sheen or oil globules, the field screening of groundwater samples for temperature and the collection of groundwater samples for analysis of TPH. Review of the data revealed that depth to groundwater ranged between 3 and 10 feet below grade, approximately

0.06 feet of separate phase product existed on the groundwater surface in one monitoring well located west of the underground storage tanks on November 23, 1993, the temperature of the groundwater ranged between 10 and 29 °C and TPH concentrations ranged between none detected and 22 ppm. Additionally, samples were collected from the monitoring wells on November 23, 1993 and January 6, 1994 for analysis of semi-volatile organics and purgeable aromatics, respectively. Review of this data revealed that total BTEX existed in one well at a concentration of approximately 15 parts per billion.

Note: This summary is based on the information contained in the Department's files.

AUDIT FINDINGS

On the basis of the information reviewed during the course of the audit and in reliance upon the accuracy of that information, the Department has identified both violations and deficiencies with one or more laws, regulations, orders, licenses, permits or approvals enforced by the Department as described below.

I. Violations. The following Notice of Non-Compliance contains a description of each activity identified during the audit which is in non-compliance, the requirements violated, the action the Department now wants you to take, and the deadline for taking such action.

NOTICE OF NON-COMPLIANCE
NON-COMPLIANCE SUMMARY
NON-SE-95-3041

ENTITY IN NON-COMPLIANCE

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02754

LOCATION WHERE NON-COMPLIANCE OCCURRED OR WAS OBSERVED

Polaroid Power Plant Building
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

DATES WHEN NON-COMPLIANCE OCCURRED AND DESCRIPTION OF ACTIVITIES IN NON-COMPLIANCE

Relative to a release of oil encountered during the monitoring of the groundwater in the vicinity of the three (3) underground fuel oil storage tanks at the above referenced site, the Department has identified the following violations:

1. By November 23, 1993, you failed to notify the Department of your intention to conduct an Immediate Response Action (IRA) at the above referenced site.

2. On January 21, 1994, a Response Action Outcome (RAO) Statement was submitted to the Department for the subject site. According to the RAO Statement, the Licensed Site Professional (LSP) of record for this site, Mr. John J. Spirito, provided an opinion that a Class B-1 RAO has been achieved. Pursuant to 310 CMR 40.1046(1) a Class B-1 RAO Statement is applicable when a level of No Significant Risk has been achieved at a disposal site without conducting remedial actions or imposing Activity and Use Limitations. However, based on the information provided, you have not demonstrated that separate phase product no longer exists at the site and that a level of No Significant Risk has been achieved.

3. By January 20, 1994, you failed to submit documentation pursuant to 310 CMR 40.1403(3)(f) which demonstrates the Chief Municipal Officer and the Board of Health in the community(ies) in which the disposal site is located and any other communities which are likely to be affected by the disposal site have been notified of the availability of the RAO Statement filed pursuant to 310 CMR 40.1000 for the site.

DESCRIPTION OF REQUIREMENTS NOT COMPLIED WITH

1. 310 CMR 40.0420(3)(a) requires Potentially Responsible Parties, Responsible Parties and Other Persons to inform the Department of their intention to conduct an IRA required pursuant to 310 CMR 40.0412 at the time of notification of a 2 or 72 hour release as described in 310 CMR 40.0311 through 310 CMR 40.0314.

2. 310 CMR 40.1004 requires a RAO Statement be supported by assessment activities conducted pursuant to 310 CMR 40.0000 which are of sufficient scope, detail and level of effort to demonstrate that all the requirements of the applicable class of RAO pursuant to 310 CMR 40.1000 have been met.

3. 310 CMR 40.1403(3)(f) requires documentation be submitted to the Department which demonstrates that the Chief Municipal Officer and the Board of Health in the community(ies) in which the disposal site is located and any other communities which are likely to be affected by the disposal site have been notified of the availability of the RAO Statement filed pursuant to 310 CMR 40.1000 for the site.

DESCRIPTION OF AND DEADLINE FOR ACTIONS TO BE TAKEN

1. Within thirty (30) days of receipt of this Notice, submit to the Department documentation which demonstrates that the Chief Municipal Officer and the Board of Health in which the disposal site is located and any other communities which are likely to be affected by the disposal site have been notified of the availability of the RAO Statement filed with the Department pursuant to 310 CMR 40.1000.

2. Within sixty (60) days of receipt of this Notice, conduct additional assessment activities at the above referenced disposal site which include at a minimum, the execution of three (3) borings in the vicinity of the monitoring well designated as GZA-5 on Figure 2 titled "Exploration Location Plan" dated December 1986 and prepared by GZA. The borings shall be of sufficient depth to determine whether or not separate phase product still exists at the site and samples should be collected as appropriate for field screening and analysis by a Massachusetts State Certified Laboratory.

3. Within ninety (90) days of receipt of this Notice, submit to the Department copies of all documentation generated as a result of the additional assessment activities described in item two (2) above.

II. Deficiencies. The Department also identified the deficiencies listed below and the actions required.

1. Deficiency: A discrepancy exists regarding page 1 of the Fuel Oil Release Characterization Report dated January 1994 and Figure 2 titled "Exploration Location Plan" dated December 1986, both prepared by GZA. Specifically, the text of the Report indicates that wetlands are located north, west and east of the underground storage tanks while the Exploration Location Plan depicts the existence of wetlands to the north, south and west of the underground storage tanks.

Action(s) Required: Specify the direction of the wetlands with respect to the underground storage tanks and modify the Exploration Location Plan, if necessary.

2. Deficiency: The source of the odors identified in the monitoring wells designated as GZA-2 and GZA-4 on the Exploration Location Plan was not identified.

Action(s) Required: Provide documentation which identifies the source of the odors in the above referenced monitoring wells.

3. Deficiency: An explanation which addresses the source (i.e., a cracked tank, tank overfilling, etc.) of the soil and groundwater contamination at the site was not provided.

Action(s) Required: Provide written documentation (i.e., tightness testing data) which addresses the cause of the soil and groundwater contamination at the site.

4. Deficiency: Table 1 titled "Comparison of Groundwater Screening Results, November 23, 1993, Underground Storage Tank Area, Polaroid Corporation, New Bedford, Massachusetts" contained in the Fuel Oil Release Characterization Report dated January 1994 references GZA Reports dated March 1987, August 1988 and May 1989.. However these reports were not provided to the Department.

Action(s) Required: Submit to the Department copies of the reports referenced above.

5. Deficiency: A Chain of Custody (COC) was not provided to support the samples collected on December 12, 1986, December 18, 1986, January 2, 1987, January 6, 1987, January 13, 1987, January 15, 1987 and June 23, 1988. Furthermore, the COC provided for the April 27, 1989 sampling episode does not include the sample locations and times and is therefore incomplete. The laboratory certificates generated by ERCO for the samples received on January 2, 5 and 6, 1987 do not specify the extraction and analysis date. The test methods employed by GZA Environmental Chemistry Laboratory and Rhode Island Analytical for the analysis of the samples collected in December 1986 and June 1988, respectively were not specified on the laboratory analytical certificates. The analytical data associated with the analysis of the soil samples collected from borings GZA-2, GZA-5 and GZA-6A in January 1987 were expressed on a wet weight basis. The duplicate sample collected from monitoring well GZA-4 on April 27, 1989 was not labelled as a blind duplicate and the COC for the May 27, 1992 sampling episode indicated that a sample was collected from the well designated as POW-1 installed by Polaroid for the analysis of TPH, however this data was not provided.

Action(s) Required: Future sample collection and analysis must be conducted in strict accordance with 310 CMR 40.0017.

6. Deficiency: Analytical data generated from the sampling of the well points and the CMPs was used to support the RAO Statement for this site and are not representative sampling locations.

Action(s) Required: No further action is required.

DEADLINES FOR RETURNING TO COMPLIANCE

You are advised to correct the violations (I) in the Notice of Noncompliance Summary within the time frames specified and to correct the deficiencies (II) within thirty (30) days of receipt of this Notice. Your response must include appropriate evidence and documentation as specified herein.

DO NOT IGNORE THIS NOTICE. Failure to correct the violations and the deficiencies identified and provide documentation of such action to the Department may subject you, your officers and employees to enforcement action by the Department. The Department may conduct a follow-up audit to determine whether the required actions have been taken and the violations and the deficiencies corrected. If the Department finds that the violations and deficiencies have not been corrected, it may then issue additional Notices of Non-Compliance (NON), a Notice of Intent to Assess a Civil Administrative Penalty (PAN), an administrative enforcement order, a Notice of Responsibility (NOR), a Notice of Intent to take Response Action (NORA), an Administrative Consent Order, an Unilateral Order, or seek a Judicial Judgement as appropriate. You may also be subject to cost recovery under 310 CMR 40.1200 for failure to perform response actions at the disposal site.

A copy of this Notice has been sent to the LSP of record for your disposal site. You may consult with the LSP of record when preparing a response to this Notice. Note, however, that you, not your LSP, are obligated to respond to this Notice and remedy the violations and the deficiencies specified herein. Note that any submittals to the Department made in response to this Notice must include the certification enclosed signed by an authorized individual as specified in 310 CMR 40.0009.

Additional Comments. The list below contains observations and recommendations from the Department on the response actions that were audited. These observations and recommendations do **NOT** constitute deficiencies or violations and require no response to the Department from you. Instead, they are included to help you and your LSP better understand the Department's interpretation of M.G.L. c.21E. 310 CMR 40.0000, and other requirements to applicable to the site.

1. According to the Fuel Oil Characterization Report, the presence of oil and hazardous materials (OHM) at the site is limited to the area below the groundwater table, Method 1 Risk Characterization Standards are available for the OHM of concern at the site and pursuant to 310 CMR 40.0982(5) a Method 1 Risk Characterization has been conducted for the site. 310 CMR 40.0982(5) refers to a Method 2 Risk Characterization whereby Method 1 Standards may be used in combination with Method 2 Standards.

LIMITATIONS

These findings do not apply to response actions or other aspects of the site that were not reviewed in the audit. These findings do not in any way constitute a release from liability under M.G.L. c. 21E, the MCP, or any other law, regulation, or requirement. This audit does not preclude future audits of past, current, or future response actions or activities at the site.

No portion of this Notice shall be construed to relieve any person from an obligation for Response Action Costs or damages related to a site or disposal site for which that person is liable under M.G.L. c. 21E or from any obligation for any administrative, civil or criminal penalty, fine, settlement, or other damages.

No portion of this Notice shall be construed to limit the Department's authority to take or arrange, or to require any Responsible Party or Potentially Responsible Party to perform, any response action authorized by M.G.L. c. 21E which the Department deems necessary to protect health, safety, public welfare or the environment.

If you have any questions regarding this Notice or any requirements specified herein please contact Laura Stanley at (508) 946-2880. Please reference the Release Tracking Number (4-10113) in any correspondence regarding the site.

Very truly yours,

Joseph F. Kowal

Joseph F. Kowal, Chief
Audit and Site Management Section

K/LAS/re

CERTIFIED MAIL # Z 309 604 211
RETURN RECEIPT REQUESTED

Enclosure: Certificate of Submittal

cc: New Bedford Health Department
181 Hillman Street
New Bedford, MA 02740
ATTN: Dr. David Constantine, Chairman

Office of the Mayor
City Hall
133 Williams Street
New Bedford, MA 02740
ATTN: Honorable Rosemary Tierney, Mayor

GZA GeoEnvironmental, Incorporated
140 Broadway
Providence, RI 02903
ATTN: John J. Spirito, LSP

cc: DEP - Boston
ATTN: Steve Winslow, BWSC

DEP - SERO
ATTN: Andrea Papadopoulos, Deputy Regional Director

DEP - SERO
ATTN: Richard Packard, ER

DEP - SERO
ATTN: Data Entry

#21389

RECEIVED
NOV 05 2019
City of New Bedford
Conservation Commission

Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Protection
Southeast Regional Office

William F. Weld
Governor
Trudy Coxe
Secretary, EOEA
Thomas B. Powers
Acting Commissioner

April 24, 1995

David P. Swanson
Environmental Protection Manager
Polaroid Corporation
50 Duchaine Boulevard, NB6
New Bedford, Massachusetts 02745

RE: NEW BEDFORD--Recycling Permit No.S-95-005,Transmittal No. 104244, Site ID# MAD058060476, 310 CMR 30.200, Regulated Recyclable Material

Dear Mr. Swanson:

Enclosed please find a Class A recycling permit issued to: Polaroid Corporation High Resolution Media Manufacturing, 50 Duchaine Boulevard, NB6, New Bedford, Massachusetts 02745, which authorizes the management of regulated recyclable materials. This permit is issued pursuant to G.L. c. 21C and 310 CMR 30.200.

Please read this document carefully as it stipulates the particular activities for which the permit is issued as well as the general and specific conditions governing those activities.

If you object to the terms and conditions of this permit you must contact the Department within 10 days of the receipt of this letter, otherwise you will be deemed to have assented to the permit as issued. The permit shall then become valid and binding as of the effective date shown on page one of the permit.

Should you have any questions, please contact Mark R. Poudrier of this office at (508) 946-2821.

Very truly yours,

John K Winkler, for
Christopher Tilden, P.E.
Regional Engineer for Waste Prevention

T/MRP/re

Enclosure

CERTIFIED MAIL NO. Z 309 604 216
RETURN RECEIPT REQUESTED

cc: DEP-BWP
ATTN: James Miller
(Enclosure)

Health Dept.
Hazardous Waste Coordinator
1213 Purchase Street
New Bedford, MA 02740
(Enclosure)

Polaroid Corporation
50 Duchaine Blvd., NB6
New Bedford, MA 02745
ATTN: Jeanne M. Benjamin, Environmental Engineer
(Enclosure)

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE

RECYCLING PERMIT

Polaroid Corporation High Resolution Media Manufacturing Name of Permittee	50 Duchaine Blvd., NB6, New Bedford, MA 02745 Mailing Address

David P. Swanson Contact Person	April 24, 1995 Effective Date	A Class	S-95-005 Permit No.
[redacted] Phone Number	April 24, 2000 Expiration Date	MAD058060476 EPA Identification No.	

****

This is to certify that the above named company is authorized to manage regulated recyclable materials pursuant to G.L. c21C and 310 CMR 30.200.

This permit authorizes recycling of the following materials only:

Material Description	EPA Waste Code	Amount
Methyl Ethyl Ketone	F005	5,800,000 gallons/year
Ethyl Acetate	F003	
Other Solvents as Listed in Application	D001	

DESCRIPTION OF RECYCLING OPERATIONS

Batches of waste solvents generated on-site are recycled in a completely enclosed distillation system for re-use as a cleansing solvent. Waste solvents not scheduled for re-use shall be managed as a hazardous waste in accordance with 310 CMR 30.000.

LOCATION OF RECYCLING OPERATIONS

Polaroid Corporation High
Resolution Media Manufacturing
50 Duchaine Blvd., NB6
New Bedford, MA 02745

General Conditions of Recycling Permit

I. The permittee shall have all equipment installed in accordance with all applicable Federal, State and local regulations. The equipment site must have proper fire and explosion protection features, must have proper ventilation and provide easy access to all significant parts of the equipment.

II. The permittee shall install, operate and maintain recycling equipment in accordance with all recommendations provided by the manufacturer.

III. Permittee shall not alter the recycling device.

IV. Permittee shall not allow material to be introduced into the recycling device, other than those which have been specifically enumerated by the manufacturers or that would result in inadequate performance of the device.

V. The permittee shall satisfy all applicable conditions of 30.200. They include but are not limited to the following:

(1) Duty to Comply. The permittee shall comply at all times with the terms and conditions of the permit, 310 CMR 30.000, MGL c. 21C, MGL c. 21E, and all other applicable State and Federal statutes and regulations.

(2) Duty to Maintain. The permittee shall always properly operate and maintain all facilities, equipment, control systems, and vehicles which the permittee installs or uses.

(3) Duty to Halt or Reduce Activity. The permittee shall halt or reduce activity whenever necessary to maintain compliance with 310 CMR 30.200 or the permit conditions, or to prevent an actual or potential threat to public health, safety, or welfare, or the environment.

(4) Duty to Mitigate. The permittee shall remedy and shall act to prevent all potential and actual adverse impacts to persons and the environment resulting from noncompliance with the terms and conditions of the permit. The permittee shall repair at his own expense all damages caused by such noncompliance.

(5) Duty to Provide Information. The permittee shall provide the Department, within a reasonable time, any information which the Department may request and which is deemed by the Department to be relevant in determining whether a cause exists to modify, revoke, or suspend a permit, or to determine whether the permittee is complying with the terms and conditions of the permit.

(6) Entries and Inspections. The permittee shall allow personnel or other authorized agents of the Department or authorized EPA representatives, upon presentation of credentials or other documents as may be required by law, to:

(a) Enter at all reasonable times any premises, public or private for the purposes of investigation, sampling or inspecting any records, condition, equipment, practice, or property relating to activities subject to MGL c. 21C, MGL c.21E, or RCRA, as amended; and

(b) Enter at any time such premises for the purpose of protecting the public health, safety or welfare, or the environment; and

(c) Have access to and copy at all reasonable times all records that are required to be kept pursuant to the conditions of the permit, and all other records relevant to the permittee's hazardous waste activity or to the permittee's activity involving regulated recyclable material.

(7) Records. All records and copies of all applications, reports, and other documents required by 310 CMR 30.200 shall be kept by the permittee for at least three (3) years from the expiration of the permit. This period shall be automatically extended for the duration of any enforcement action. This period may be extended by order of the Department. All record-keeping shall be in compliance with 310 CMR 30.007.

(8) Continuing Duty to Inform. The permittee shall have a continuing duty to immediately:

(a) correct any incorrect facts in an application; and

(b) report or provide any omitted facts which should have been submitted; and

(c) in advance, report to the Department each planned change in the permitted facility or activity which might result in noncompliance with 310 CMR 30.200 or with a term or condition of the permit; and

(d) report to the Department any cessation of the permitted activity.

(9) Preventing and Reporting Releases Into the Environment. No materials that are to be recycled shall be intentionally released into the environment or otherwise disposed of within Massachusetts except in full compliance with all applicable provisions of 310 CMR 30.000 and C. 21C. All accidental releases of recyclable material shall be immediately reported to the Department and to all other persons to whom such releases must be reported pursuant to State or Federal laws or regulations.

(10) Compliance with the Application and the Terms of the Permit. Except where 310 CMR 30.200 or other conditions of the permit provide otherwise, the materials that are to be recycled shall be recycled in the manner described in the application for the permit and in no other manner, and in compliance with all conditions of the permit. There shall be no change in the procedure of recycling without the prior express written approval of the Department.

(11) Transportation of Recyclable Material. Unless otherwise specified, all transportation of recyclable material, and preparation of all recyclable material for transportation, shall be in full compliance with U.S. Department of Transportation and other Federal regulations, and all State regulations, governing the transportation of hazardous materials.

(12) Annual Reporting. All permittees shall submit to the Department an annual report covering all recyclable material they handle. Each annual report shall be submitted to the Department no later than March 1 for the proceeding calendar year. The permittee shall use the form prescribed by the Department for Annual Reports submitted in compliance with 310 CMR 30.205(12). All annual reports shall include at least the following information:

(a) The EPA identification number of the generator; and

(b) The name, address, and EPA identification number of the facility to which recyclable material was sent; and

(c) Identification of all recyclable material recycled at the site of generation. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, and the amount of material recycled; and

(d) Identification of all recyclable material shipped to off-site facilities. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of recyclable material transported, and the facility to which it was transported; and

(e) The name and EPA identification number of the transporters used.

(13) Dust Suppression and Road Treatment. The use of regulated recyclable material for dust suppression or road treatment is prohibited. The provisions set forth in 310 CMR 30.205(9) shall apply to such activity.

(14) Speculative Accumulation. Speculative accumulation is prohibited. The permittee shall make and keep records that will adequately demonstrate that there has occurred no speculative accumulation. Such records shall include, but not be limited to, the following:

SPECIAL CONDITIONS

(1) The permittee is authorized only to handle the Class A regulated recyclable material described in this permit in accordance with 310 CMR 30.220 Requirements Governing Class A Regulated Recyclable Materials. The Department must be notified immediately of any changes or modifications in material composition, amount or operation of recycling activities.

(2) Each tank or container in which regulated recyclable material is being accumulated or stored and each outside container into which small containers are packed shall be clearly marked and labelled throughout the period of accumulation or storage in accordance with 310 CMR 30.206(1).

(3) Previously issued Recycling Permit No. S-92-032 dated October 21, 1992 is hereby made void by the issuance of Recycling Permit No. S-95-005 approved herein.

(4) Please note that the Department reserves the right to revoke or suspend this permit if the above special conditions are not met.

THIS PERMIT AUTHORIZES ONLY THE NAMED PERMITTEE TO ENGAGE IN THE ACTIVITIES DESCRIBED ABOVE AT THE LOCATION DESCRIBED ABOVE. THIS PERMIT DOES NOT GRANT ANY RIGHTS NOT OTHERWISE GRANTED BY FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, OR REGULATIONS. THE PERMITTEE SHALL COMPLY AT ALL TIMES WITH ALL STATE AND FEDERAL REGULATIONS AND STATUTES APPLICABLE TO THE MANAGEMENT OF REGULATED RECYCLABLE MATERIALS.

Julian K Wenisch, for
Christopher Tilden, P.E.
Regional Engineer for Waste Prevention

Date 4/24/95

APPEAL OF APPROVAL

This Approval is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to Commonwealth of Massachusetts in the amount of one hundred dollars ($100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The Department may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

#21389

(12)

NOTICE TO CHIEF OF FIRE DEPARTMENT

OFFICE OF CITY CLERK New Bedford, Mass., March 3, 1993

Chief of Fire Department

Application has been made by Edward Bretschneider, POLAROID CORP.

for license to use land for the **KEEPING, STORAGE AND SALE OF CRUDE PETROLEUM OR ANY OF ITS PRODUCTS**, under provisions of General Laws, Chapter 148, as amended by Acts of 1936, Chapter 394, and any amendments thereto and a hearing is assigned thereon for Thursday, MARCH 25, 1993

The following description and facts appear in the application filed at this office:

The land on which the license is to be exercised is situated at

100 Duchaine Boulevard
street and number

Building is constructed of concrete and steel

and is used as Manufacturing plant
if garage state capacity (if lubritorium, give capacity);

Products of crude petroleum to be kept, as well as number, kind and capacity of containers to be used

SEE ATTACHED APPLICATION

Premises previously licensed by city council 9/14/78
(date)

site approved

Additional storage covered by this application (kind and quantity) listed below

SEE ATTACHED APPLICATION

Respectfully,

JANICE A. DAVIDIAN
City Clerk

CERTICICATE OF HEAD OF FIRE DEPARTMENT

OFFICE OF CHIEF OF FIRE DEPARTMENT

New Bedford, Mass. Mar. 26, 1993

To the City Council,

Gentlemen:

I hereby certify my approval ~~disapproval~~ of the application for license described above.

My reasons for disapproval are

Respectfully,

Chief of Fire Department

Application for License

To Use Land for the

KEEPING, STORAGE OR SALE OF

Products of Crude Petroleum

New Bedford, Mass., February 10, 1993

Under the provisions of General Laws, Chapter 148, as amended, the undersigned hereby makes application for a license to use land for Keeping and Storage
(keeping and storage; or keeping, storage and sale)
of products of crude petroleum, hereinafter specified, the premises, buildings or structures to be used being described as follows:—

The land on which the license is to be exercised is situated at
100 Duchaine Boulevard New Bedford, MA 02745
(street and number)

Products of crude petroleum to be kept, as well as number, kind and capacity of containers to be used
additional storage to be included: Class "A" Fluids 25,000 gallons in 5 to 55 gallon drums & Totes; 80,000 gallons in 8 aboveground tanks 10,000 gallon each. Class "B" (#2 Fuel Oil) in 1 underground concrete tank - 38,000 gallons & 2 - 300 gallons each diked aboveground metal tanks. Class "C" (#6 Fuel Oil) in 1 underground concrete tank - 167,000 gallons & 1 underground concrete tank - 163,000 gallons; propane in 2 (1001bs each) tanks & 8 (401bs each) cylinders; lighter-than-air flammable gases in 24 cylinders (360cu ft each).

Building, if any, is or will be constructed of Concrete and Steel
and will be used as
(if garage, state capacity) (if lubritorium, give capacity)
If filling station, site approved
(date)
Signature of applicant E.S. Bretschneider PLANT MGR 2/12/92
Edward Bretschneider
Residence or mail address 100 Duchaine Boulevard New Bedford, MA 02745

Premises previously licensed by city council
(date)
Additional storage covered by this application (kind and quantity) listed below
47,000 gallons Class "A" fluids; 600 gallons Class "B" #2 Fuel Oil; 5201bs propane; 8,640 cu ft lighter-than-air flammable gases.

(13)

21389

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

RECEIVED

NOV 05 2019

City of New Bedford
Conservation Commission

Polaroid

December 3, 1992

Chief Henry Openshaw
New Bedford Fire Department
868 Pleasant Street
New Bedford, MA

RE: Flammable Storage License
100 Duchaine Blvd.

Dear Chief Openshaw:

With the addition of our new 11X film production facility, we have a need to increase our flammable storage capacity on site. Our current license (attached) permits storage of 58,000 gallons of Class A fluids. Polaroid seeks approval to increase its Class A fluid storage capacity to 105,000 gallons. We also understand that there is a need to include flammable gas storage as part of our license.

The attached drawing (C-177216-3) depicts our total current site flammable storage needs.

We would like to meet with you, at your earliest convenience, to discuss this request and the procedure required for permit modification.

Please contact me @ (508)-998-5657.

Sincerely,

Polaroid Corporation
Richard L Chandler
Richard L. Chandler
Safety/Environmental Mgr.

1992

The Commonwealth of Massachusetts

Department of Public Safety—Division of Fire Prevention
1010 COMMONWEALTH AVE., BOSTON

$850.00

REGISTRATION

New Bedford (City or Town) 6/10/1992 (Date)

This is to certify that Polaroid Corp has, in accordance with the provisions of Chapter 148, Section 13, of the General Laws, filed with me a certificate of registration setting forth that T. Regan is the holder of the license granted 9/14/1978 for the lawful use of the building(s) or other structure(s) situated or to be situated at Industrial Park South Off Duchaine Blvd (Street and Number)

as related to the KEEPING, STORAGE, MANUFACTURE OR SALE OF FLAMMABLES OR EXPLOSIVES.

Petroleum

J. D. (Signature and Official Title) City Clerk

Note: A certificate of registration must be filed on or before April 30th of each year.

(THIS REGISTRATION MUST BE CONSPICUOUSLY POSTED ON THE PREMISES.)

11

CITY OF NEW BEDFORD

LICENSE

To Use a Building or Other Structure for the Keeping, Storage or ~~Sale~~ of

CRUDE PETROLEUM

or any of its Products

UNDER GENERAL LAWS, CHAPTER 148, AS AMENDED

Fee $20.00

This is to certify that on Sept. 14, 1978 the City Council granted a license to use the land at Industrial Park-south end of Duchaine Blvd. (Poloroid Property) on application of Poloroid Corporation for keeping, storage or sale of products of crude petroleum, hereinafter specified, the premises, buildings or structures to be used being described as follows:

Building is constructed of Concrete pad w/roof and is used as Manufacturing Plant

Products of crude petroleum to be kept, as well as number, kind and capacity of containers to be used

Class C (#6 fuel oil) 1 und concrete tank 167,000 gals., 1 und tank (concrete) 163,000 gals., Class B (#2 fuel oil) 1 und concrete tank 38,000 gals., Class A fluids-10,000 gals.in 5 & 55 gal drums. Class A fluids-1 und tank in 2 sections 4,000 gals. each. 8,000 gals each. Class A fluids-5 und tanks.

Approved subject to compliance with the rules and regulations as enforced by the Chief of the Fire Department.

David R Nelson
City Clerk

alf

CERTIFICATE OF REGISTRATION MUST BE FILED ANNUALLY ON OR BEFORE APRIL 30

POST THIS LICENSE ON LICENSED PREMISES

Site Approved: -------

previous license: 10/22/70

3

The Commonwealth of Massachusetts
Department of Public Safety
Division of Fire Prevention and Regulation

APPLICATION FOR PERMIT TO MAINTAIN AN EXISTING/NEW UNDERGROUND STORAGE FACILITY

TO: Head of Fire Department

New Bedford
City, Town or District

April 22, 1991
Date

Application is hereby made for a permit to maintain an existing/new underground storage facility as required by 527 CMR 9.00: Permits.

Location of property: 100 Duchaine Blvd.
Street Address

Owner of property: Polaroid Corporation
Full name of person, firm or corporation

Signature of owner or authorized representative: Richard L Chandler

FEE: $ 15.00 (M.G.L.A. Chapt. 148 Sec. 10A)

FORM F.P. 290
(rev. 10/90)

(Fire department's copy to be filed with F.P. 290 Part 2)

2

Department of Public Safety
Division of Fire Prevention and Regulation

Notification for Underground Storage Tanks

Submit to:
LOCAL FIRE DEPARTMENT

☒ A. NEW FACILITY ☐ B. AMENDED ☐ C. CLOSURE

3 No. of tanks at facility 0 No. of continuation sheets attached

INSTRUCTIONS

Please type or print in ink all items except "signature" in section V. This form must be completed for each location containing underground storage tanks. If more than five (5) tanks are owned at this location, photocopy the following sheets, and staple continuation sheets to the form.

STATE USE ONLY

ID NUMBER FIRE DEPT. 05201

DATE RECEIVED 4-22-91

A. Date Entered into Computer _____

B. Data Entry Clerk Initials _____

C. Owner Was Contacted to Clarify Responses, Comments

_____

_____

_____

_____

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1984, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

a) In the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

b) In the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

c) If the State agency so requires, any facility that has undergone any changes to facility information or tank system status (only amended tank information needs to be included).

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. Gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situate upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
POLAROID CORPORATION

Street Address
100 DUCHAINE BLVD

City NEW BEDFORD State MA ZIP Code 02745

County BRISTOL

Phone Number (Include Area Code) (508)-998-5657

II. LOCATION OF TANK(S)

If required by State, give the geographic location of tanks by degrees, minutes, and seconds. Examples Lat. 42, 34, 12 N Long. 85, 24, 17W

Latitude 41,42,56N Longitude 70,57,20W

(If same as Section I, mark box here ☐)

Facility Name or Company Site Identifier, as applicable
POLAROID CORPORATION

Street Address (P.O. Box not acceptable)
100 DUCHAINE BLVD

City NEW BEDFORD State MA Zip Code 02745

County BRISTOL

III. TYPE OF OWNER

- ☐ Federal Government
- ☐ State Government
- ☐ Local Government
- ☒ Commercial
- ☐ Private

IV. INDIAN LANDS

Tanks are located on land within an Indian Reservation or on other trust lands. ☐

Tanks are owned by native American nation, tribe, or individual. ☐

Tribe or Nation: _____

V. TYPE OF FACILITY

Select the Appropriate Facility Description

____ Gas Station	____ Railroad	____ Trucking/Transport
____ Petroleum Distributor	____ Federal - Non-Military	____ Utilities
____ Air Taxi (Airline)	____ Federal - Military	____ Residential
____ Aircraft Owner	X Industrial	____ Farm
____ Auto Dealership	____ Contractor	____ Other (Explain) _____

VI. CONTACT PERSON IN CHARGE OF TANKS

Name	Job Title	Address	Phone Number (Include Area Code)
Richard Joyce	Power Plant Engineer	Polaroid Corp 100 Duchaine Blvd New Bedford, MA	(508)-998-5647

VII. FINANCIAL RESPONSIBILITY

I have met the financial responsibility requirements in accordance with 40 CFR Subpart H ☒

Check All that Apply

☒ Self Insurance	☐ Guarantee	☐ State Funds
☐ Commercial Insurance	☐ Surety Bond	☐ Trust Fund
☐ Risk Retention Group	☐ Letter of Credit	☐ Other Method Allowed Specify

_____

VIII. CERTIFICATION (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative (Print)	Signature	Date Signed
Richard L. Chandler Sr. Environmental Engineer	Richard L. Chandler	3/29/91

EPA estimates public reporting burden for this form to average 30 minutes per response including time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding this burden estimate to Chief, Information Policy Branch PM-223, U.S. Environmental Protection Agency, 401 M Street, Washington D.C. 20460, marked "Attention Desk Officer for EPA." This form amends the previous notification form as printed in 40 CFR Part 280, Appendix I.

IX. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No. ____	Tank No. ____
1. Status of Tank (mark only one)					
Currently in Use	X	X	X		
Temporarily Out of Use (Remember to fill out section IX.)					
Permanently Out of Use (Remember to fill out section IX.)					
Amendment of Information					
2. Date of Installation (mo./year)	6/70	6/70	6/70		
3. Estimated Total Capacity (gallons)	167,000	163,000	38,000		
4. Material of Construction (Mark all that apply)					
Asphalt Coated or Bare Steel					
Cathodically Protected Steel					
Epoxy Coated Steel					
Composite (Steel with Fiberglass)					
Fiberglass Reinforced Plastic					
Lined Interior					
Double Walled					
Polyethylene Tank Jacket					
Concrete	X	X	X		
Excavation Liner					
Unknown					
Other, Please specify	FIBERGLASS/ EPOXY COATED	FIBERGLASS/ EPOXY COATED	FIBERGLASS/ EPOXY COATED		
Has tank been repaired?	NO	NO	NO		
5. Piping (Material) (Mark all that apply)					
Bare Steel	X	X	X		
Galvanized Steel					
Fiberglass Reinforced Plastic					
Copper					
Cathodically Protected					
Double Walled					
Secondary Containment					
Unknown					
Other, Please specify					
6. Piping (Type) (Mark all that apply)					
Suction: no valve at tank					
Suction: valve at tank	X	X	X		
Pressure	X	X	X		
Gravity Feed					
Has piping been repaired?	NO	NO	NO		

Tank Identification Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No. ____	Tank No. ____
7. Substance Currently or Last Stored In Greatest Quantity by Volume					
Gasoline					
Diesel					
Gasohol					
Kerosene					
Heating Oil	X	X	X		
Used Oil					
Other, Please specify					
Hazardous Substance CERCLA name and/or, CAS number	FUEL OIL #6 68553-00-4	FUEL OIL #6 68553-00-4	FUEL OIL #2 68476-30-2		
Mixture of Substances Please specify					

X. TANKS OUT OF USE, OR CHANGE IN SERVICE N/A

1. Closing of Tank					
A. Estimated date last used (mo./day/year)					
B. Estimate date tank closed (mo./day/year)					
C. Tank was removed from ground					
D. Tank was closed in ground					
E. Tank filled with inert material Describe					
F. Change in service					
2. Site Assessment Completed					
Evidence of a leak detected					

XI. CERTIFICATION OF COMPLIANCE (COMPLETE FOR ALL NEW AND UPGRADED TANKS AT THIS LOCATION)

Tank Identification Number	Tank No. 1	Tank No. 2	Tank No. 3	Tank No. ___	Tank No. ___
1. Installation N/A					
A. Installer certified by tank and piping manufacturers	☐	☐	☐	☐	☐
B. Installer certified or licensed by the implementing agency	☐	☐	☐	☐	☐
C. Installation inspected by a registered engineer	☐	☐	☐	☐	☐
D. Installation inspected and approved by implementing agency	☐	☐	☐	☐	☐
E. Manufacturer's installation check-lists have been completed	☐	☐	☐	☐	☐
F. Another method allowed by State agency. Please specify.	☐	☐	☐	☐	☐

2. Release Detection (Mark all that apply)	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING	TANK	PIPING
A. Manual tank gauging	X		X		X		☐		☐	
B. Tank tightness testing	☐		☐		☐		☐		☐	
C. Inventory controls	☐		☐		☐		☐		☐	
D. Automatic tank gauging	☐		☐		☐		☐		☐	
E. Vapor monitoring	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
F. Groundwater monitoring	X	X	X	X	X	X	☐	☐	☐	☐
G. Interstitial monitoring double walled tank/piping	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
H. Interstitial monitoring/secondary containment	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
I. Automatic line leak detectors	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
J. Line tightness testing		☐		☐		☐		☐		☐
K. Other method allowed by Implementing Agency. Please specify.	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	___		___		___		___		___	

3. Spill and Overfill Protection					
A. Overfill device installed	☐	☐	☐	☐	☐
B. Spill device installed	☐	☐	☐	☐	☐

OATH: I certify the information concerning installation that is provided in section X is true to the best of my belief and knowledge.

Installer:

Name _____ Signature _____ Date _____

Position _____ Company _____

CITY OF NEW BEDFORD

LICENSE

To Use a Building or Other Structure for the Keeping, Storage ~~or Sale~~ of

CRUDE PETROLEUM

or any of its Products

Fee $35.00

UNDER GENERAL LAWS, CHAPTER 148, AS AMENDED

This is to certify that on Oct. 22, 1970 the City Council granted a license to use the land at Industrial Park-south end of Duchaine Blvd. (Polaroid Property)

on application of Polaroid Corp.

for keeping, storage ~~or sale~~ of products of crude petroleum, hereinafter specified, the premises, buildings or structures to be used being described as follows:

Building is constructed of concrete

and is used as manufacturing plant

Products of crude petroleum to be kept, as well as number, kind and capacity of containers to be used

Class C (#6 fuel oil): 1 und. concrete tank 167,000 gals.
1 und. tank-163,000 gals. concrete tank
~~Class B (#2 fuel oil): 1 und. concrete tank~~ 38,000 gals.
~~Class A fluids-1000 gals. in 5 and 55 gal. drums~~ (above ground set on covered concrete pad)
~~Class A fluids- 1 und. tank in 2 sections~~ 4,000 gals. each
Class A fluids- 5 und. tanks -8,000 gals. each

Approved subject to compliance with the rules and regulations as enforced by the Chief of the Fire Department.

Allen M. Lindsay
City Clerk

CERTIFICATE OF REGISTRATION MUST BE FILED ANNUALLY ON OR BEFORE APRIL 30

POST THIS LICENSE ON LICENSED PREMISES

Site Approved: —

previous license: 6/26/70

APPENDIX B

Massachusetts Contingency Plan Document Excerpts

Polaroid

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

July 13, 1995

Mr Joseph F. Kowal, Chief
Audit and Site Management Section
Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02346

Re: New Bedford - WSC/ASM-4-10113
Polaroid Power Plant Building
100 Duchaine Blvd
Response to Notice of Non-Compliance/Notice of Audit Findings

Dear Mr. Kowal:

In order to address your April 13, 1995 Notice of Non-Compliance/ Notice of Audit Findings regarding the Response Action Outcome (RAO) statement for the referenced site, at our request, GZA GeoEnvironmental, Inc. (GZA) prepared the enclosed response.

Please contact me @ (617) 386-7374 if you have any questions.

Sincerely,

POLAROID CORPORATION

Richard L Chandler

Richard L. Chandler
Division Environmental Mgr

CERTIFICATION OF SUBMITTAL
(310 CMR 40.0009)

This certification must be included with <u>all</u> submittals to the Department.

I certify under the penalties of law that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this certification, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained herein is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for wilfully submitting false, inaccurate or incomplete information.

Name (Print): DALLAS M. DARLAND

Position or Title: PLANT MANAGER

Signature: Dallas M. Darland

Date: 7/12/95

GZA

NEW BEDFORD - WSC/ASM-4-10113
POLAROID POWER PLANT BUILDING
100 DUCHAINE BOULEVARD
RESPONSE TO NOTICE OF NON-COMPLIANCE/NOTICE OF AUDIT FINDINGS

PREPARED FOR:
Polaroid Corporation
New Bedford, Massachusetts

PREPARED BY:
GZA GeoEnvironmental, Inc.
Providence, Rhode Island

July 1995
File No. 7989-2

GZA
GeoEnvironmental, Inc.

Engineers and Scientists

July 11, 1995
File No. 7989.2

Mr. Richard Chandler
Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

Re: New Bedford - WSC/ASM-4-10113
Polaroid Power Plant Building
100 Duchaine Boulevard
Response to Notice of Non-Compliance/Notice of Audit Findings

140 Broadway
Providence
Rhode Island 02903
401-421-4140
FAX 401-751-8613

Dear Dick:

At your request, we are responding to the one outstanding issue in the Massachusetts Department of Environmental Protection's (DEP) April 13, 1995 Notice of Non-Compliance/Notice of Audit Findings regarding the Response Action Outcome (RAO) Statement submitted on January 21, 1994. Our May 15, 1995 letter responded to all of DEP's stated requests for information, with the exception of the need for additional soil borings and soil sampling and analysis in the vicinity of monitoring well GZA-5.

In the way of background, the January 4, 1994 RAO Statement was prepared to address the November 23, 1993 Notification of the observed presence of a 0.5 inch layer of floating oil in one monitoring well located immediately adjacent to Polaroid's underground fuel oil storage tanks adjacent to the Power Plant at the referenced site. The violation/deficiency identified by the DEP which has not been addressed is restated below with our response. Our work was performed for Polaroid Corporation (Polaroid) in accordance with our May 5, 1995 proposal.

DEP REQUEST/GZA RESPONSE

DEP Violation No. 2: On January 21, 1994, a Response Action Outcome (RAO) Statement was submitted to the Department for the subject site. According to the RAO Statement, the Licensed Site Professional (LSP) of record for this site, Mr. John J. Spirito, provided an opinion that a Class B-1 RAO has been achieved. Pursuant to 310 CMR 40.1046(1) a class B-RAO Statement is applicable when a level of No Significant Risk has been achieved at a disposal site without conducting remedial actions or imposing Activity and use Limitations. However, based on the information provided, you have not

demonstrated that separate phase product no longer exists at the site and that a level of No Significant Risk has been achieved.

GZA

310 CRM 40.1004 requires a RAO Statement be supported by assessment activities conducted pursuant to 310 CMR 40.000 which are of sufficient scope, detail and level effort to demonstrate that all the requirements of the applicable class of RAO pursuant to 310 CMR 40.1000 have been met.

Within sixty (60) days of receipt of this Notice, conduct additional assessment activities at the above referenced disposal site which include at a minimum, the execution of three (3) borings in the vicinity of the monitoring well designated as GZA-5 on Figure 2 titled "Exploration Location Plan" dated December 1986 and prepared by GZA.

The borings shall be of sufficient depth to determine whether or not separate phase product still exists at the site and samples should be collected as appropriate for field screening and analysis by a Massachusetts State Certified Laboratory.

Within ninety (90) days of receipt of this Notice, submit to the Department copies of all documentation generated as a result of the additional assessment activities described in item two (2) above.

GZA's Response: *GZA, at Polaroid's request, proceeded with the completion of the requested soil borings and analysis. Four soil borings, SB-1 through SB-4, were installed on June 12, 1995, adjacent to monitoring well GZA-5, as shown in Figure 2. The soil borings were extended to depths of 17 feet below ground surface, approximately 9 feet below the groundwater table. In addition, we collected an additional round of groundwater and product thickness measurements and groundwater samples from the network of existing wells: GZA-1 through GZA-5, GZA-6A and GZA-7.*

GZA

The soil boring, soil sampling, and water/product level measurement techniques and groundwater sampling procedures which were employed are described in Appendix A. Soil samples were screened in the field for Total Volatile Organic Compounds (TVOCs) using a Photoionization detector (PID) equipped with a 10.2 eV lamp. The soil and groundwater samples were subjected to total petroleum hydrocarbon (TPH) analysis via EPA Method 8100. Soil boring logs are provided in Appendix B. Chain of Custody forms and laboratory data sheets are provided in Appendix C. Groundwater/Product level measurements, past and current, are summarized in Table 1.

The additional field and laboratory work indicate:

1. *On May 2, 1995, the groundwater table was measured in wells GZA-1 through GZA-5, GZA-6A and GZA-7 at depths of between approximately 7 to 8 feet below ground surface. No floating layer was detected in any of the wells, see Table 1;*

2. *No TPH was detected in any of the groundwater samples collected from the seven wells on May 2, 1995. The detection limit was 0.25 ppm;*

3. *No visual or olfactory signs of fuel oil was noted in any of the soil samples collected from SB-1 through SB-4 on June 12, 1995. TVOC PID screening results were all below detection limits of 0.1 ppmv. The soil samples were observed to consist of tan sand and gravel to depths of 11 to 13 feet below groundsurface at depths below which a grey fine sand was encountered; and*

4. *No TPH was detected in the soil samples selected from the four soil borings on June 12, 1995. One soil sample was selected from each boring from within the estimated zone of the groundwater table, a depth of 7 to 9 feet. The TPH analysis detection limit was 10 mg/kg, ppm.*

The laboratory data sheets are provided in Appendix C.

We believe that the results of the additional sampling and analysis Polaroid requested supports our original RAO opinion that a permanent solution has been achieved.

We believe that the submission of this letter to the DEP, in conjunction with our letter dated May 15th, addresses all the concerns expressed by the DEP in their April 13, 1995, Notice of Non-Compliance/Notice of Audit Findings. If you have any questions or comments, please do not hesitate to contact me.

Thank you,

GZA GEOENVIRONMENTAL, INC.

John J. Spinto, LSP
Associate Principal

Michael A. Powers, P.E., LSP
Project Reviewer

JJS:clz

Enclosures: Table 1
Figure 2
Appendix A, B and C

F:\JOBS\7989-2.JJS\7989-2.LT7

TABLE

TABLE 1
SUMMARY OF GROUNDWATER LEVELS AND ELEVATIONS 1986-1995
UNDERGROUND STORAGE TANK AREA

POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

Station Location	Measuring PT Elevation (ft)	12-31-86		1-13-87		6-23-88		4-27-89		5-8-91		4-27-92		11-23-93		2-7-95		6-2-95		6-23-95	
		Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation	Water Depth	Water Elevation
GZA-1	496.76	6.62	490.1	6.59	490.2	8.20	488.6	7.16	489.6	6.86	489.9	9.00	487.8	7.80	488.96	NA	NA	6.83	489.93	7.23	489.53
GZA-2	497.63	7.39	490.2	7.36	490.3	9.02	488.6	7.84	489.8	7.6	490.0	9.77	487.9	8.58	489.05	NA	NA	7.58	490.05	8.00	489.63
GZA-3	496.84	6.63	490.2	6.62	490.2	8.24	488.6	7.11	489.7	6.87	490.0	9.00	487.8	7.82	489.02	6.55	490.29	6.84	490.00	7.26	489.58
GZA-4	497.45	7.09	490.4	7.08	490.4	8.90	488.6	7.58	489.9	7.36	490.1	9.60	487.9	8.34	489.11	NA	NA	7.32	490.13	7.78	489.67
GZA-5	496.78	6.49	490.3	6.48	490.3	8.15	488.6	6.98	489.8	6.75	490.0	8.85	487.9	7.74	489.04	6.40	490.38	6.68	490.10	7.13	489.65
GZA-6A	496.83 (497.04)^	6.15^	490.9	6.15^	490.9	8.10	488.7	6.57	490.3	6.29	490.5	8.48	488.4	7.30	-7.30	NA	NA	NA	NA	6.76	490.07
GZA-7	496.19 (496.44)^	5.81^	490.6	5.80	490.6	7.45	488.7	6.23	490.0	5.96	490.2	7.87	488.3	6.89	-6.89	NA	NA	NA	NA	6.26	489.93
GZA-8	494.53	3.23	491.3	3.27	491.3	5.59	488.9	4.15	490.4	3.75	490.8	5.63	488.9	4.83	489.70	NA	NA	NA	NA	NA	NA
POW-1	491.79	1.95	498.8	1.93	489.9		***	1.65	490.1	2.17	489.6	3.78	487.5	2.39	489.40	NA	NA	NA	NA	NA	NA
WP-1	491.77	2.72	489.1	1.72	490.1	3.00	**	1.98	**	NA	NA	NA	NA	2.83	488.94	NA	NA	NA	NA	NA	NA
WP-2	492.37	2.23	490.1	2.25	490.1	>2.95*	**	2.64	**	NA	NA	NA	NA	DRY	ND	NA	NA	NA	NA	NA	NA
WP-3	492.35	2.23	490.1	2.26	490.1	>2.70*	**	2.45	**	NA	NA	NA	NA	DRY	ND	NA	NA	NA	NA	NA	NA
SW-1	490.63	0.78	489.9	0.8	489.8	*	*	0.94	**	NA	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA
SW-2	492.35	dry	*	dry	–	*	*	*	*	NA	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA
SW-3	493.85	dry	*	dry	–	*	*	*	*	NA	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA

NOTES:

-1- All elevations referenced to a temporary benchmark with an assumed elevation of 500 feet (top of SE corner of wall surrounding top of the southern No. 6 fuel oil storage tank). Measuring Point (PT) elevations are top of PVC.

-2- With the exception of the 11-23-93 measurements, the depth to water and petroleum product thickness measurements were made using a chalked and water indicating pasted measuring tape or an ORS oil/water interface probe. No distinct product layer was on the dates measured except the observed presence of approximately 0.04 feet in GZ-5 on 11/23/94.

* Due to dry conditions water elevation could not be measured.

** All wellpoint and surface water measuring point elevations after 1987 are suspect since these wells maybe subject to winter heaving. Therefore, wellpoint groundwater elevation data was not computed.

*** Water level was not measured (unable to unlock on 6/23/88 site visit)

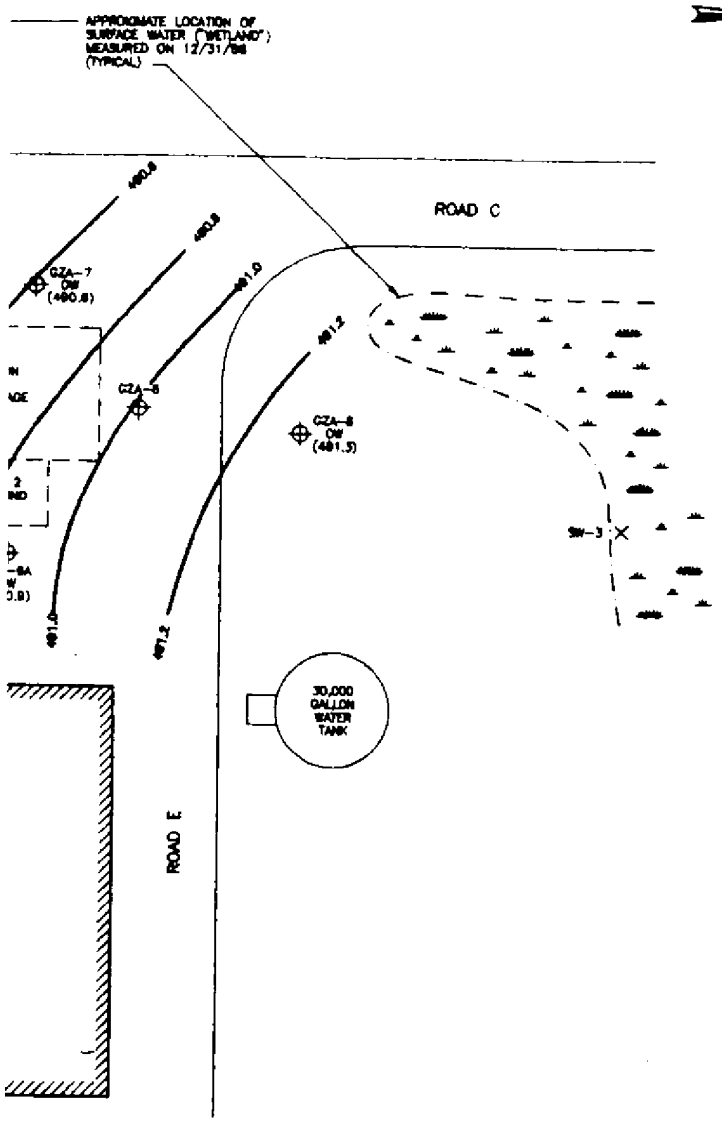
– No surface water elevation computed due to dry conditions

^ = Measured from lip to curb box.

NA = Data not available.

P:\JOBS\7989-4.JJS\TAB.xls

FIGURE



NOTES:

1. THE BASE PLAN WAS DEVELOPED FROM A PLAN PROVIDED BY POLAROID CORPORATION ENTITLED "GRADING PLAN II", DATED 7/88, DRAWING NO. E-177216-A-3.
2. THE LOCATIONS OF THE BORINGS AND SAMPLING LOCATIONS WERE APPROXIMATELY DETERMINED BY TAPE MEASUREMENTS FROM EXISTING TOPOGRAPHIC AND MAN-MADE FEATURES. THIS DATA SHOULD BE CONSIDERED ACCURATE ONLY TO THE DEGREE IMPLIED BY THE METHOD USED.

LEGEND:

- SB-1 — BORINGS PERFORMED BY GZA DRILLING, INC. ON 6/12/95, OBSERVED BY GZA PERSONNEL
- GZA-1 — BORINGS PERFORMED BY GZA DRILLING, INC. ON 12/22 AND 12/23/86, OBSERVED BY GZA PERSONNEL. INDICATES OBSERVATION WELL INSTALLED
- WP-1 — WELL POINTS INSTALLED BY GZA PERSONNEL ON 12/10/86
- POW-1 — POLAROID OBSERVATION WELL
- SW-1 — SURFACE WATER SAMPLING LOCATION, SAMPLES COLLECTED ON 12/12/86
- SW-3 — SURFACE WATER ELEVATION POINT
- (480.8) — INDICATES GROUNDWATER ELEVATION (IN FEET) RECORDED ON 12/31/86
- 481.2 — GROUNDWATER CONTOUR (IN FEET) ON 12/31/86

REV. No.	DESCRIPTION	BY	DATE
	PROJ. MGR.	JJS	
	CHECKED BY:	WF	
	REVIEWED BY:	JPH	

DRAWN BY: BAW
SCALE: 1" = 50'
DATE: JULY 1995

SCALE IN FEET: 0' 25' 50' 100'

GZA GeoEnvironmental, Inc.

POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

EXPLORATION LOCATION PLAN AND GROUNDWATER CONTOUR PLAN

PROJECT No. 7989.2

FIGURE No. 2

APPENDIX A

SOIL BORING, SOIL SAMPLING AND WATER/ PRODUCT LEVEL MEASUREMENT TECHNIQUES AND GROUNDWATER SAMPLING PROCEDURES

APPENDIX A

Drilling for completion of the four soil borings, SB-1 through SB-4, was conducted by GZA Drilling, Inc. of Brockton, Massachusetts on June 12, 1995. The approximate locations of the borings are shown on Figure 2. The borings were located to provide soil sampling points adjacent to GZA-5.

All four borings were advanced by 3-3/4-inch hollow stem augers. Each boring was advanced to depths of about 17 feet. Split spoon soil samples were collected at a minimum of 5-foot intervals beginning at the ground surface. In addition, to assess for the presence (at all four locations) of petroleum product, soil samples were collected by continuous sampling from depths of between approximately 5 to 12 feet. The continuous split spoon sampling was intended to provide soil samples from the vadose zone and capillary fringe at the water table. Soil samples were visually classified and logged by the GZA engineer/geologist on-site and a portion of each sample was obtained in duplicate and sealed immediately after collection in an 8-ounce glass jar. The soil containers were stored in an ice chest for laboratory testing. Boring logs are presented in Appendix B.

MEASUREMENT OF GROUNDWATER ELEVATIONS AND PRODUCT THICKNESS

On May 2, 1995, measurements were made on seven monitoring wells GZA-1 through GZA-5, GZA-6A, and GZA-7 to determine the thickness of floating product petroleum layer, if any was present, in each well and the depth to water below the top of the PVC well. The measurements were made using an ORS oil/water interface probe. The water table depth and elevation data are summarized in Table 1. As indicated in footnote 2 of Table 1 on May 2, 1995, no measurable product layer was detected in any of the wells.

GROUNDWATER SAMPLING

On May 2, 1995, after water/product level measurements, groundwater samples were collected from wells GZA-1 through GZA-5, -6A and -7. Samples were collected with separate (i.e., one per well) clean stainless steel bailers. Three times the well volume was evacuated prior to sampling in order to flush standing water from the well. The purged groundwater was visually checked for evidence of separate phase product, as a check on the ORS oil/water interface probe readings.

Samples for Total Petroleum Hydrocarbon (TPH) analysis by EPA Method 8100 were collected in 1/2 liter glass jars, which were placed in an ice filled cooler while being returned to GZA's Newton laboratory. Chain of Custody (COC) procedures were followed during the transfer of these samples. Copies of COC forms are provided in Appendix C.

SOIL SCREENING AND LABORATORY ANALYSIS

Soil samples collected during drilling were screened in the field for Total Volatile Organic Compounds (TVOC), using a photoionization detector (PID) analyzer (HNU Model PI-101) equipped with a 10.2 eV lamp. Results of PID TVOC measurements are provided on the boring logs in Appendix B.

Based upon the results of the PID TVOC screening analyses and visual and olfactory observations made while test drilling, selected soil samples were submitted for TPH analysis via EPA Method 8100. Samples from each boring from within the water table fluctuation zone, from depths of 7 to 9 feet, were selected for TPH analysis. These included: SB-1, 7-9'; SB-2, 7-9'; SB-3, 7-9'; and SB-4, 7-9'. The results of TPH analysis are provided in Appendix C.

F:\JOBS\7989-2.WTF\7989-2.APA

APPENDIX B

BORING LOGS

GZA GEOENVIRONMENTAL, INC.
140 BROADWAY, PROVIDENCE, RHODE ISLAND
GEOTECHNICAL/GEOHYDROLOGICAL CONSULTANTS

PROJECT
POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

REPORT OF BORING No. SB-1
SHEET 1 OF 1
FILE No. 7989.2
CHKD. BY

BORING Co. GZA DRILLING
FOREMAN R. WORDELL
GZA ENGINEER W. FORTONE

BORING LOCATION
GROUND SURFACE ELEVATION DATUM
DATE START 6/12/95 DATE END 6/12/95

SAMPLER: UNLESS OTHERWISE NOTED, SAMPLER CONSISTS OF A 2" SPLIT SPOON DRIVEN USING A 140 lb. HAMMER FALLING 30 in.

CASING: UNLESS OTHERWISE NOTED, CASING DRIVEN USING A 300 lb. HAMMER FALLING 24 in.

CASING SIZE: 3 3/4 HSA OTHER:

GROUNDWATER READINGS

DATE	TIME	WATER	CASING	STABILIZATION TIME
6/12/95		+8	5'	1 MIN

DEPTH	CASING BLOWS	SAMPLE No.	SAMPLE PEN./REC.	SAMPLE DEPTH (Ft.)	SAMPLE BLOWS/6"	SAMPLE DESCRIPTION Burmister CLASSIFICATION	STRATUM DESCRIPTION	EQUIPMENT INSTALLED	PID FIELD TESTING (ppm)	REMKS
		S-1	24/12	0.5-2.5	5	Medium dense, tan, coarse to fine SAND, trace+ Gravel, trace- Silt	0.4' ASPHALT	NONE	ND	1
					8-9					
		S-2	24/8	2.5-4.5	7-12	Medium dense, tan, coarse to fine SAND, trace+ Gravel, trace- Silt	TAN SAND AND GRAVEL		ND	
					13-13					
					11					
5		S-3	24/15	5-7	10-24	Medium dense, tan, medium SAND, trace Silt turning to very dense tan coarse to fine SAND, little- Gravel, trace Silt			ND	
					38-33					
		S-4	24/13	7-9	36-39	Very dense, tan, coarse to fine SAND, little Gravel, trace Silt			ND	
					29-29					
10		S-5	24/3	10-12	26-21	Dense, tan-gray, coarse to fine SAND, little Gravel, trace+ Silt			ND	2
					20-18					
							13'+ GRAY FINE SAND			
15		S-6	24/10	15-17	3-9	Medium dense, gray, medium to fine+ SAND, little Silt			ND	3
					10-15					
						End of Exploration at 17'±				
20										
25										
30										
35										
40										

REMARKS:
1. The headspace of soil samples was screened for total volatile organic compounds using a HNU photoionization detecting equipped with a 10.2 eV lamp.
2. Encountered groundwater at approximately 8'.
3. No visual or olfactory signs of fuel oil observed.

NOTES:
1) STRATIFICATION LINES REPRESENT APPROXIMATE BOUNDARY BETWEEN SOIL TYPES, TRANSITIONS MAY BE GRADUAL.
2) WATER LEVEL READINGS HAVE BEEN MADE AT TIMES AND UNDER CONDITIONS STATED, FLUCTUATIONS OF GROUNDWATER MAY OCCUR DUE TO OTHER FACTORS THAN THOSE PRESENT AT THE TIME MEASUREMENTS WERE MADE

GZA

BORING No. SB-1

GZA GEOENVIRONMENTAL, INC.
140 BROADWAY, PROVIDENCE, RHODE ISLAND
GEOTECHNICAL/GEOHYDROLOGICAL CONSULTANTS

PROJECT
POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

REPORT OF BORING No. SB-2
SHEET 1 OF 1
FILE No. 7989.2
CHKD. BY

BORING Co. GZA DRILLING
FOREMAN R. WORDELL
GZA ENGINEER W. FORTUNE

BORING LOCATION
GROUND SURFACE ELEVATION DATUM
DATE START 6/12/95 DATE END 6/12/95

SAMPLER: UNLESS OTHERWISE NOTED, SAMPLER CONSISTS OF A 2" SPLIT SPOON DRIVEN USING A 140 lb. HAMMER FALLING 30 In.

CASING: UNLESS OTHERWISE NOTED, CASING DRIVEN USING A 300 lb. HAMMER FALLING 24 In.

CASING SIZE: 3 3/4 HSA OTHER:

GROUNDWATER READINGS

DATE	TIME	WATER	CASING	STABILIZATION TIME
6/12/95		+8	5'	2 MIN

DEPTH	CASING	BLOWS	SAMPLE No.	SAMPLE PEN./REC.	SAMPLE DEPTH (Ft.)	BLOWS/6"	SAMPLE DESCRIPTION (Burmister CLASSIFICATION)	STRATUM DESCRIPTION	EQUIPMENT INSTALLED	PID FIELD TESTING (ppm)	REMKS
			S-1	24/10	0.5-2.5	7	Medium dense, tan, coarse to fine SAND, little+ Gravel, trace- Silt	0.4' ASHPALT	NONE	ND	1
						11-10					
			S-2	24/10	2.5-4.5	9-15	Medium dense, tan, coarse to fine SAND, little+ Gravel, trace- Silt	TAN SAND AND GRAVEL		ND	
						21-23					
						24					
5			S-3	24/8	5-7	7-13	Medium dense, tan, coarse to fine SAND, trace Gravel, trace- Silt			ND	
						12-9					
			S-4	24/12	7-9	12-21	Dense, tan, coarse to fine SAND, trace Gravel, trace Silt			ND	
						20-26					
10			S-5	24/11	10-12	29-28	Dense, tan-gray, coarse to fine SAND, little+ Gravel, trace+ Silt			ND	2
						9-6					
								13'+ GRAY FINE SAND			
15			S-6	24/3	15-17	1-1	Loose, gray, medium to fine+ SAND, little Silt			ND	
						2-12					3
							End of Exploration at 17'±				
20											
25											
30											
35											
40											

REMARKS:
1. The headspace of soil samples was screened for total volatile organic compounds using a HNU photoionization detecting equipped with a 10.2 eV lamp.
2. Encountered groundwater at approximately 8'.
3. No visual or olfactory signs of fuel oil observed.

NOTES:
1) STRATIFICATION LINES REPRESENT APPROXIMATE BOUNDARY BETWEEN SOIL TYPES, TRANSITIONS MAY BE GRADUAL.
2) WATER LEVEL READINGS HAVE BEEN MADE AT TIMES AND UNDER CONDITIONS STATED. FLUCTUATIONS OF GROUNDWATER MAY OCCUR DUE TO OTHER FACTORS THAN THOSE PRESENT AT THE TIME MEASUREMENTS WERE MADE

GZA

BORING No. SB-2

GZA GEOENVIRONMENTAL, INC.
140 BROADWAY, PROVIDENCE, RHODE ISLAND
GEOTECHNICAL/GEOHYDROLOGICAL CONSULTANTS

PROJECT
POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

REPORT OF BORING No. SB-3
SHEET 1 OF 1
FILE No. 7989.2
CHKD. BY

BORING Co. GZA DRILLING
FOREMAN R. WORDELL
GZA ENGINEER W. FORTUNE

BORING LOCATION
GROUND SURFACE ELEVATION DATUM
DATE START 6/12/95 DATE END 6/12/95

SAMPLER: UNLESS OTHERWISE NOTED, SAMPLER CONSISTS OF A 2" SPLIT SPOON DRIVEN USING A 140 lb. HAMMER FALLING 30 in.

CASING: UNLESS OTHERWISE NOTED, CASING DRIVEN USING A 300 lb. HAMMER FALLING 24 in.

CASING SIZE: 3 3/4 HSA OTHER:

GROUNDWATER READINGS

DATE	TIME	WATER	CASING	STABILIZATION TIME
6/12/95		±7.5	5'	2 MIN

DEPTH	CASING BLOWS	SAMPLE No.	SAMPLE PEN./REC.	SAMPLE DEPTH (Ft.)	SAMPLE BLOWS/6"	SAMPLE DESCRIPTION Burmister CLASSIFICATION	STRATUM DESCRIPTION	EQUIPMENT INSTALLED	PID FIELD TESTING (ppm)	REMKS
		S-1	24/3	0-2	1-1	Very loose, tan, coarse to fine SAND, trace Silt		NONE	ND	1
					1-2					
5		S-2	24/12	5-7	5-8	Medium dense, tan, coarse to fine SAND, little- Gravel, trace+ Silt	TAN SAND AND GRAVEL		ND	
					13-9					
		S-3	24/20	7-9	6-6	Medium dense, tan, coarse to fine SAND, trace Gravel, trace Silt			ND	2
					8-15					
10		S-4	24/16	10-12	38-16	Dense, tan, coarse to fine SAND, little Gravel, trace+ Silt,			ND	
					22-22	turning at 11' to dense, gray, medium to fine SAND, trace+ Silt	11' GRAY FINE SAND			2
15		S-5	24/18	15-17	11-11	Medium dense, gray, medium to fine+ SAND, little silt			ND	
					9-8					
						End of Exploration at 17'±				
20										
25										
30										
35										
40										

REMARKS:
1. The headspace of soil samples was screened for total volatile organic compounds using a HNU photoionization detecting equipped with a 10.2 eV lamp.
2. Encountered groundwater at approximately 9.5'.
3. No visual or olfactory signs of fuel oil observed.

NOTES:
1) STRATIFICATION LINES REPRESENT APPROXIMATE BOUNDARY BETWEEN SOIL TYPES, TRANSITIONS MAY BE GRADUAL.
2) WATER LEVEL READINGS HAVE BEEN MADE AT TIMES AND UNDER CONDITIONS STATED, FLUCTUATIONS OF GROUNDWATER MAY OCCUR DUE TO OTHER FACTORS THAN THOSE PRESENT AT THE TIME MEASUREMENTS WERE MADE

GZA

BORING No. SB-3

GZA GEOENVIRONMENTAL, INC.
140 BROADWAY, PROVIDENCE, RHODE ISLAND
GEOTECHNICAL/GEOHYDROLOGICAL CONSULTANTS

PROJECT
POLAROID CORPORATION
NEW BEDFORD, MASSACHUSETTS

REPORT OF BORING No. SB-4
SHEET 1 OF 1
FILE No. 7989.2
CHKD. BY

BORING Co. GZA DRILLING
FOREMAN R. WORDELL
GZA ENGINEER D. FORTUNE

BORING LOCATION
GROUND SURFACE ELEVATION DATUM
DATE START 6/12/95 DATE END 6/12/95

SAMPLER: UNLESS OTHERWISE NOTED, SAMPLER CONSISTS OF A 2" SPLIT SPOON DRIVEN USING A 140 lb. HAMMER FALLING 30 in.

CASING: UNLESS OTHERWISE NOTED, CASING DRIVEN USING A 300 lb. HAMMER FALLING 24 in.

CASING SIZE: 3 3/4 HSA OTHER:

GROUNDWATER READINGS

DATE	TIME	WATER	CASING	STABILIZATION TIME
5/12/95		+8	5'	1 MIN

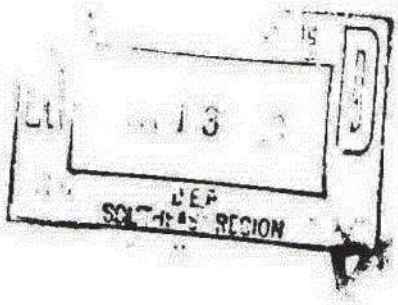
DEPTH	CASING	BLOWS	SAMPLE No.	SAMPLE PEN./REC.	SAMPLE DEPTH (Ft.)	SAMPLE BLOWS/6"	SAMPLE DESCRIPTION (Burmister CLASSIFICATION)	STRATUM DESCRIPTION	EQUIPMENT INSTALLED	PID FIELD TESTING	REMKS
			S-1	24/6	0-2	1-2	Very loose, brown mulch turning at 0.5' to loose tan, corse to fine SAND, trace Gravel, trace Silt	DETRITUS	NONE	ND	1
						2-3		0.5' TAN SAND AND GRAVEL			
5			S-2	3/2	5-5.3	80/3"	Medium dense, tan, coarse to fine SAND, little Gravel, trace Silt			ND	2
			S-3	24/16	7-9	10-38	Very dense, tan, coarse to fine SAND, little Gravel, trace Silt			ND	3
						28-27					
10			S-4	24/16	10-12	11-18	Medium dense, tan-gray, coarse to fine SAND, little Gravel, trace Silt turning at 11' to medium dense, gray, fine SAND, little Silt			ND	
						14-18		11' GRAY FINE SAND			
15			S-5	24/19	15-17	1-1	Loose, gray, fine SAND, little Silt			ND	4
						3-4					
							End of Exploration at 17'±				
20											
25											
30											
35											
40											

REMARKS:
1. The headspace of soil samples was screened for total volatile organic compounds using a HNU photoionization detecting equipped with a 10.2 eV lamp.
2. Encountered cobble obstruction at 5.3'.
3. Encountered groundwater at approximately 7.5'.
4. No visual or olfactory signs of fuel oil observed.

NOTES:
1) STRATIFICATION LINES REPRESENT APPROXIMATE BOUNDARY BETWEEN SOIL TYPES, TRANSITIONS MAY BE GRADUAL.
2) WATER LEVEL READINGS HAVE BEEN MADE AT TIMES AND UNDER CONDITIONS STATED. FLUCTUATIONS OF GROUNDWATER MAY OCCUR DUE TO OTHER FACTORS THAN THOSE PRESENT AT THE TIME MEASUREMENTS WERE MADE

GZA

BORING No. SB-4



Class A-1 Response Action Outcome and Phase IV Final Inspection and Completion Statement

Wastewater Treatment Plant
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

Release Tracking No.
4-16316

March 10, 2006

Prepared for:

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts 02745

Prepared by:

ROUX ASSOCIATES, INC.
67 South Bedford Street, Suite 101W
Burlington, Massachusetts 01803

ROUX

TABLE OF CONTENTS

TABLE OF CONTENTS

(Continued)

EXECUTIVE SUMMARY

Roux Associates, Inc. (Roux Associates) has prepared this Phase IV Final Inspection Report, Phase IV Completion Statement and Class A-1 Response Action Outcome (RAO) Statement for the wastewater treatment plant at Polaroid Corporation's (Polaroid) facility located at 100 Duchaine Boulevard in New Bedford, Massachusetts. The report was prepared in accordance with the Massachusetts Contingency Plan (MCP), 310 CMR 40.0000.

In June 2001, Polaroid wastewater treatment plant (WWTP) personnel observed leakage of sulfuric acid along a pipe exiting the northern end of an above ground storage tank (AST) within a concrete containment. Polaroid notified the Massachusetts Department of Environmental Protection (DEP) of a 2-hour reportable condition and DEP assigned release tracking number RTN 4-16316 to the Site. An Immediate Response Action Completion Report, Phase I Initial Site Assessment Report, Phase II Comprehensive Site Assessment and Phase III Comprehensive Remedial Action Alternatives Report, and a Phase IV Remedy Implementation Plan have been completed for this Site.

Based upon the results of the Phase II investigation, the Site has been defined as soil with pH levels less than 4.0 pH units within an approximate area of 1,600 square feet in the center of Polaroid's WWTP. Sulfuric acid-impacted soil was present at depths ranging from two to ten feet below ground surface and located along utility pipe bedding and in the crushed stone beneath the former AST containment dike.

The Phase IV Remedy Implementation Plan was submitted in June 2005 and was implemented in July 2005. The remedial activities included:

- Demolition of three flash mix tanks and the concrete containment dike
- Excavation and stockpiling of material for reuse as backfill
- Excavation and off-site disposal of contaminated soil and concrete
- Removal, disposal and replacement of wastewater transfer piping
- Confirmatory soil sampling
- Backfilling

Based on the results of the confirmatory soil sampling conducted during remedial activities the source has been removed, there is no significant risk to health or to the environment for current and unrestricted foreseeable uses of the Site. A class A-1 RAO is applicable for the Site since the pH of the remaining soil within the Site boundaries is generally within the range of 4 to 7, which is considered as background for the area.

1.0 INTRODUCTION

On behalf of Polaroid Corporation (Polaroid), Roux Associates, Inc. (Roux Associates) has prepared this Phase IV Final Inspection and Completion Statement and Response Action Outcome (RAO) Statement for a sulfuric acid release from an above ground storage tank (AST) located at the wastewater treatment plant (WWTP) of the facility located at 100 Duchaine Boulevard in New Bedford, Massachusetts. A Site Location Map, Site Vicinity Map and a Site Plan are included as Figures 1, 2 and 3 respectively. This document was prepared to meet the requirements of the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000).

1.1 Statement of Purpose

The remainder of this report is divided into the following sections:

- Section 2.0 Site History and Description;
- Section 3.0 Disposal Site History;
- Section 4.0 Implementation of Remedial Activities;
- Section 5.0 Phase IV Final Inspection and Completion Statement;
- Section 6.0 Condition of No Significant Risk;
- Section 7.0 Feasibility of Achievement of Background;
- Section 8.0 Activity and Use Limitations and Operation, Maintenance, and Monitoring Plan; and
- Section 9.0 Class A-1 RAO Statement;
- Section 10.0 Statement by Licensed Site Professional.

This Class A-1 RAO Statement has been prepared in accordance with the MCP (310 CMR 40.1056) on behalf of Polaroid. A copy of the Comprehensive Response Action Transmittal form (BWSC-108) and the RAO Statement form (BWSC-104) is provided in **Appendix A**. The original forms are being submitted with this report.

Roux Associates has provided written notification to the New Bedford Mayor and Board of Health, as required by the public involvement provisions of the MCP [310 CMR 40.1403(3)(f)]. This written notification has been provided regarding the availability of a Phase IV Final Inspection and Completion Statement and Response Action Outcome Statement. Copies of the letters provided to the New Bedford Mayor and the Board of Health are presented in **Appendix B**.

1.2 Background

In June 2001, sulfuric acid was released to the environment at Polaroid WWTP, in New Bedford, MA. The release was reported to the MADEP verbally as a 2-hour reporting condition. Investigations were conducted as part of an immediate response action (IRA) to determine the extent of contamination caused by the sulfuric acid. The sulfuric acid release impacted the soil at the Site by reducing the pH to less than 2.0 in some areas.

Additional investigations were conducted in 2002 and a Phase I and Tier Classification report was submitted in June 2002. The Site was classified as a Tier II Site. Further investigations were conducted in 2004 to delineate the extent of acid-impacted soil and a Phase II/III Report along with a Method III Risk Characterization were submitted. In June 2004 a Phase IV Remedy Implementation Plan was submitted detailing the response action to excavate and dispose of the contaminated soil at the Site.

Further details of the investigations and response actions are included in Section 3 of this report.

2.0 SITE HISTORY AND DESCRIPTION (310 CMR 40.1056(2)(B))

This section provides a description of Site conditions, ownership and operations history, and a summary of surrounding receptors.

2.1 Site Location and Configuration

The Polaroid facility is located at the southern end of the New Bedford Business Park, at the junction of Route 140 and Braley Road, at the northern end of New Bedford (Figure 1). Industrial and commercial properties lie to the north. To the east of the facility is Pine Hill Acres, a residential community. A Conrail rail line runs northwest to southeast to the west of the Site. To the South and to the West (beyond the Conrail line) the facility is bordered by the Acushnet Cedar Swamp State Reservation. The location of the release ("the Site") is within the Polaroid New Bedford facility and is approximately 225 feet to the closest property boundary (Conrail rail line). The perimeter of the Polaroid property (Figure 2) is not fenced; however, the facility has security personnel who patrol the grounds. The WWTP is fenced.

The Site is located within the wastewater treatment plant (WWTP) at the Polaroid facility (see Figure 3). The WWTP is located in an isolated area on the western side of the facility. The WWTP is approximately 50,000 square feet in area, and is bounded by wetlands on four sides with access provided by roads leading north. An approximately 2,500 square foot wastewater treatment facility building is located on the eastern portion of the property. The former sulfuric acid AST was located near three flash mix tanks, to the south of the wastewater treatment facility building. Four approximately 40-foot diameter wastewater treatment tanks used for equalization, flocculation, clarification and sedimentation are located in the northeast, southeast, and southwest corners of the WWTP. An electrical substation is located to the southeast of the WWTP building. The majority of the WWTP is paved or covered by existing structures.

2.2 Abutting Properties

The Polaroid facility is located at the southern end of the New Bedford Business Park. Industrial and commercial properties lie to the north. To the east of the facility is Pine Hill Acres, a residential community. A Conrail rail line runs northwest to southeast to the west of the Site. The facility is bordered to the south and to the west (beyond the Conrail line) by the Acushnet

Cedar Swamp State Reservation. The Site is within the Polaroid New Bedford facility and is approximately 225 feet to the closest property boundary (Conrail rail line).

2.3 Surrounding Receptors

The nearest residences are located approximately 0.2 miles (1800 feet) east of the Site. No institutions, as defined by the MCP as hospitals, educational facilities, day care centers, etc., were identified within 500 feet of the Site.

The WWTP Site is built on mounded land, surrounded by nearby wetlands. Wetland areas are located within 100 feet of the Site, to the southeast. According to the Massachusetts Geographic Information System (MassGIS) Site Scoring Map dated December 15, 2005 for the area (Figure 5), the Site is located within a medium yield, non-potential water source aquifer. A medium yield potentially productive aquifer is located approximately 500 feet south and west of the Site. Priority habitats of rare species are located within a ½ mile radius to the west and southeast of the Site.

The nearest private drinking water wells are located on Braley Road, approximately 0.75 miles northeast of the Site, based on municipal records from the city of New Bedford. No public water supply wells are located within ½ mile radius of the Site.

The immediate Site topography is flat; however, the ground surface slopes sharply and radially around the WWTP downward to the wetlands areas. Surface water flow in the immediate area of the Site drains to the northeast and southeast, toward the nearest wetlands.

3.0 DISPOSAL SITE HISTORY

This section details the release of sulfuric acid to the Site and the investigations and response actions that took place.

3.1 Release Description

At approximately 11:00 PM on Sunday, June 17, 2001, Polaroid wastewater treatment personnel checked the volume of the 4,000-gallon sulfuric acid AST in the WWTP area. Leakage was observed along an insulated pipe exiting from the northern end of the AST. Approximately 300 gallons of acid remained in the tank. At that time, the valve from the tank was shut. However, the internal ceramic valve did not hold (it was later discovered to be cracked) and additional acid was released to the containment dike. The tank was known to have contained 2,700 gallons on the evening of June 13, 2001, at 11:00 PM. When the release from the tank was discovered, it was believed that the drain within the diked area had captured the release and directed the released acid to the wet well in the WWTP Building.

On Monday, July 18, 2001, Polaroid personnel began inspections and repairs. Polaroid discovered that the leak was associated with the failure of a pipe leading from the AST that had occurred sometime between 11:00 PM on June 13 and 11:00 PM on June 17. The WWTP is routinely shut down during weekends. Polaroid response actions included the following:

- Removal of acid-soaked insulation from around the damaged piping.
- Removal of additional acid remaining in the AST.
- Removal of limestone present in the bottom of the concrete containment dike.
- Neutralization of the concrete by flushing the concrete containment dike with sodium bicarbonate solution.

During the response activities, Polaroid observed that the sodium bicarbonate neutralization solution was entering into the valve pit from around the containment dike drainpipe. The valve pit is located adjacent to the containment. At approximately 3:30 PM on June 18, acid was observed in the concrete valve pit and Polaroid personnel were concerned that a release to the

environment may have occurred. Following removal of the limestone from the diked area, Polaroid observed that the area around the drain was severely corroded.

At 4:50 PM on Monday, June 18, 2001, Ian Phillips, LSP, on behalf of Polaroid, called Michael Moran of the Massachusetts Department of Environmental Protection (DEP) Southeast Regional Office, to report a Threat of Sudden Release of Hazardous Materials as a 2-hour Reportable Condition under the MCP.

3.2 Summary of Previous Site Response Actions

3.2.1 Immediate Response Action Activities

Polaroid received oral approval from the MADEP to conduct immediate response actions at the Site on June 18, 2001. The IRA activities included the following:

- Advancement of test borings using vacuum extraction to determine the extent of the release (soil borings TB1 through TB17);
- Installation of sumps to collect free phase acid, if present;
- Advancement of soil borings using the GeoprobeTM sampling technique (soil borings GP-1 to GP-6);
- Installation of two groundwater monitoring wells (GP-2 and GP-3A).
- Monitoring the pH of surface water in the surrounding wetlands (surface water samples SW-1 through SW-7).

The pH in soils in the borings ranged from 0.1 to 7.7. In general, the soils were observed to be dry with bands of discoloration due to contact with acid. These bands of discoloration appear to represent the preferential migration pathways of the acid and were observed during the vacuum borings. Soil saturated with acid was observed below the concrete dike. Soil saturated with acid was also observed in boring GP-4 at a depth of 5.6 feet below ground surface.

Surface water testing conducted for the IRA investigation did not indicate any impacts from the acid spill to the surrounding wetlands.

A detailed description of the subsurface investigations including boring logs and laboratory analytical reports was presented in GEI Consultants, Inc.'s (GEI) Immediate Response Action Completion Report submitted to the MADEP on November 28, 2001.

3.2.2 Phase I Site Assessment Activities

From April to June 2002, Site assessment activities consisting of collection of sediment samples (SS-1 through SS-15) and groundwater samples (GP-2 and GP-3A) were conducted at the Site. The pH of the sediment samples ranged from 4.01 to 5.53. Background sediment samples (SS-7, SS-11, SS-14, and SS-15, see Figure 2) collected from alternate areas of the Polaroid facility from the Site, indicated pH values from 4.01 to 4.96. The pH of groundwater collected from GP-2 and GP-3A was 5.64 and 5.69, respectively. A detailed description of these subsurface activities was provided in the Tier Classification and Phase I Initial Site Investigation report submitted to the MADEP on June 18, 2002.

3.2.3 Phase II/III Site Assessment Activities

In April 2004 an additional four soil borings (MW-1, SB-1, MW-2 and MW-3) were advanced using hollow-stem augers. Three of the borings (MW-1, MW-2, and MW-3) were completed as overburden groundwater monitoring wells during the period of April 28-30, 2004. Monitoring wells MW-1, MW-2, and MW-3 were completed to intercept the groundwater table and assess potential contaminant migration to the southeast, northeast, and southwest. SB-1 was advanced in the vicinity of vacuum boring TB-2, to determine if subsurface conditions had changed substantially from June 2001 to April 2004. Soil samples were collected at two-foot intervals from MW-2 and MW-3 from ground surface to 25 feet below ground surface (bgs). Soil samples were collected at two-foot intervals from SB-1 and MW-1 from ground surface to approximately ten feet bgs (the approximate location of the groundwater interface). The pH of soil samples ranged from 4.79 (SB-1, 8 to 10 feet bgs) to 6.51 (MW-3, 20 to 22 feet bgs). The pH of groundwater in all five wells was tested in April 2004 and ranged from 4.35 to 6.4.

Additional information including boring logs, chemical data, a detailed evaluation of remedial alternatives and the Method III risk characterization were included in the Phase II / III report dated June 17, 2004.

4.0 IMPLEMENTATION OF REMEDIAL ACTIVITIES

This section describes the remedial activities to eliminate the source of contamination at the Site.

4.1 Elimination of Uncontrolled Sources (310 CMR 40.1056(2)(B))

From July 18, 2005 through July 29, 2005, sulfuric acid-impacted soil was removed from the source area. Therefore, no further uncontrolled sources of sulfuric acid are present at the Site.

4.2 Phase IV Remedial Activities

The selected remedial action was to excavate and dispose of the contaminated soil that exhibited a pH of less than 4.0. Existing structures, including three flash mix tanks and the former acid tank pad were demolished prior to excavation. Un-impacted soil was segregated and stockpiled for re-use. Impacted soil was excavated and disposed of at CWM Chemical Services, LLC in Model City, New York (CWM).

4.2.1 Site Preparation and Demolition

The remedial activities took place between July 18 and July 29, which coincided with Polaroid's two-week plant-wide shut down for routine maintenance throughout the facility. Prior to mobilization at the Site, Polaroid personnel flushed and rinsed the above ground acid piping, drained the clarifier tank located to the south of the excavation area, drained the three flash mix tanks and closed the valves to the underground wastewater transfer pipes.

Based on the recommendation of the New Bedford Conservation commission, in response to a request for determination of applicability, silt fence and hay bales were placed around the excavation area and around the material handling area prior to the commencement of demolition activities to prevent runoff of soils to the abutting wetlands. In addition, a temporary stockpile area for unimpacted soil was constructed in the northwest portion of the WWTP. The temporary stockpile area was constructed with a 12-mil reinforced polyethylene liner with hay bale berms along its perimeter. Five roll-off containers were also staged on-site for unimpacted demolition debris.

On Monday July 18 and Tuesday July 19, Clean Harbors, Inc. (CHI) demolished the above ground portion of the three flash mix tanks and the shed-like structure that was located on top of the concrete acid tank pad. The demolition debris was segregated by type (wood, concrete, steel) and was placed in roll-off containers to be transported off-site as non-hazardous demolition

debris. CHI also removed the above ground acid piping. The piping was rinsed and neutralized with a basic solution within the WWTP. Roux Associates personnel conducted periodic pH testing of the demolition debris, including the acid piping, using litmus paper to verify that the debris was not a hazardous waste.

4.2.2 Installation of sheeting

On July 20, 2005, CHI began installing steel sheeting around the area to be excavated. The sheeting design included placement of sheeting along the east, south and west sides of the excavation to protect the structural integrity of the transformer station, clarifier tank and the roadway, respectively. CHI began with installation of the sheeting on the eastern boundary along the transformer station. The sheets were advanced to a depth of 16 feet below ground surface. As the sheeting progressed to the southeast and east sides of the excavation, the sheets would not advance further than approximately 9 feet below grade due to obstructions. CHI conducted test pits along the sheet pile line and exposed concrete throughout the majority of the south and southeast ends of the area to be excavated. The concrete appeared to be extended footings from the flash mix tanks and possibly spread footings from the clarifier tank. CHI's shoring engineer, Mabey Bridge and Shore, Inc. (Mabey), visited the Site to observe the existing conditions. After inspecting the installed sheeting by the transformer station, the obstructions adjacent to the clarifier, and the characteristics of the soil, it was Mabey's opinion that the excavation could continue without the use of the steel sheeting as support for the clarifier, and that the excavation along the roadway could be benched at a 1:1 slope along the roadway to prevent slope failure.

4.2.3 Excavation

CHI began excavating on the eastern portion of the Site adjacent to the sheet pile on July 22, 2005. Roux Associates personnel tested soil in approximately every other excavator bucket with litmus paper and approximately every 10th bucket with a handheld pH probe to segregate soil for disposal or re-use. Soil with a pH greater than 4.0 was considered acceptable for reuse.

The most heavily impacted soil was encountered beneath the concrete acid tank pad and extending to the subsurface portions of flash mix tank no. 1614 (Figure 3). Based on the measured pH of the soils, the flash mix tank and the concrete acid tank pad were excavated and loaded with the impacted soil into trucks for off-site disposal as a hazardous waste at CWM.

In general, the soil excavation was continued until a pH of 4.0 or higher was achieved (generally between approximately 5 and 8 feet below ground surface). In a number of locations immediately beneath the former acid tank, the pH levels were reduced to between 3.0 and 4.0. The excavation depth was extended in the area beneath the former acid tank to between approximately 9 and 13 feet below ground surface. At these depths, the soil was beginning to sluff and become moist indicating proximity to the groundwater. Because the most significantly impacted soil had been removed and for safety reasons, the excavations were terminated at these depths. Figure 4 presents the final excavation depths and pH results.

Two locations were excavated to a depth of approximately 12-14 feet deep in order to collect groundwater samples (Figure 4).

A total of eleven 25-cubic yard capacity polyethylene lined trucks were loaded with acid-impacted soil and concrete and transported to CWM in Model City, New York. A total of 347 tons was received. Copies of the manifests are included in **Appendix C**.

4.2.4 Confirmatory Soil Sampling

Confirmatory soil samples were collected every 5 feet on an East to West grid with opposite 10-foot intervals North to South. In addition to bottom samples, several side-wall samples were collected around the perimeter of the excavated area.

The confirmatory soil samples were tested in the field using a pH probe by mixing soil and deionized water in an approximate 1:1 ratio. The pH of the water was then measured using a calibrated OaktonTM Waterproof pH Tester. Calibration was performed daily with buffer solutions of 4 and 7 and verified throughout the day.

In addition, two groundwater samples were collected from below the excavation and tested for pH. The groundwater samples were collected by excavating a small area to the groundwater table and collecting water from inside the excavation. The samples were collected from under the former concrete acid tank pad and in the northeast corner of the excavation, which is in the downgradient direction.

4.2.5 Results of Confirmatory Sampling

The results of the confirmatory samples are shown in Figure 4 and are compiled in Table 1. The pH of the confirmatory soil samples ranged from 3.2 to 7.9. The lowest pH results were generally found immediately beneath the former acid tank. The average pH of the bottom confirmatory samples was 4.6. The average pH of the sidewall samples was 5.8 and the average pH of all the confirmatory soil samples was 5.0. The two groundwater samples had pH values of 3.7 (under the acid tank pad) and 6.9 (downgradient and adjacent to the building). The low pH of the groundwater beneath the former acid tank pad was likely the result of acid-impacted soil sluffing into the water as it pooled prior to sample collection as opposed to acid leaching into the groundwater over time.

4.2.6 Backfill

The Site was brought back up to grade in approximate 6-inch compacted lifts with the stockpiled unimpacted soil and with crushed stone under and around the new underground piping. The finished area is unpaved and covered with crushed stone.

5.0 PHASE IV FINAL INSPECTION AND COMPLETION STATEMENT

On July 29, 2005, the last day of excavation activities, Ian Phillips, Licensed Site Professional from Roux Associates, conducted a final inspection of the Site. Final inspection activities included confirmatory soil sampling in the area beneath the former acid tank pad and confirmatory groundwater sampling from two locations within the excavation area as detailed further in Section 4.2.4.

Based on the final site inspection and information contained herein, it is our opinion that the comprehensive remedial actions that took place at the Site were conducted in conformance with the Remedy Implementation Plan (RIP) and that the implementation of the Phase IV activities is considered complete.

No post remedial systems have been put in place, therefore no testing, adjustments or modifications are required. No permits or licenses were required to conduct the remedial activities. No activities under Phase V will be conducted as part of the implementation of the Comprehensive Remedial Action.

The original Comprehensive Response Action Transmittal form (BWSC-108) is being submitted with this report, and a copy is contained in **Appendix A**.

6.0 CONDITION OF NO SIGNIFICANT RISK 310 CMR 40.1056(2)(C)

A Condition of No Significant Risk has been achieved at the Site as the pH of the soil has been reduced to conditions approaching background. The source of contamination has been removed and residual acid-impacts to the soil and groundwater are expected to dissipate and neutralize naturally.

There are no current exposures to the residually impacted soil and groundwater as they are present at depths of greater than seven feet below ground surface.

7.0 FEASIBILITY OF ACHIEVEMENT OF BACKGROUND 310 CMR 40.1056(2)(E)

Based on results of the Phase II investigation, background pH levels ranged from 4.8 to 6.5. As describe in Section 4, the average pH of soil confirmatory soil samples was 5.0, which is approaching background levels.

A limited number of soil pH values less than 4.0 were measured in confirmatory samples, predominantly from the area beneath the former acid tank. The excavation in this area was extended to between approximately 9 and 13 feet below ground surface. At these depths, the soil was beginning to sluff and become moist indicating proximity to the groundwater. Therefore, it was not feasible to achieve background without further significant safety risks and disproportionate costs. Soil pH levels were becoming more neutral with depth and the most heavily impacted soil (pH<0.5) was removed, therefore, further excavation was not performed.

Groundwater and surface water samples taken from monitoring wells and surface water wetlands around the facility indicated an average background pH of 5.4. The average pH of the two groundwater samples inside the excavation was 5.3. Because the source has been removed, the pH is not anticipated to become more acidic with time.

It is Roux Associates' opinion that the remaining soil and groundwater at the Site is approaching background and will reach background without further response actions.

8.0 ACTIVITY AND USE LIMITATIONS AND OPERATION, MAINTENANCE, AND MONITORING PLAN 310 CMR 40.1056(2)(G, H, AND I)

The implementation of response actions at the Site have successfully removed the source resulting in a condition of no significant risk for current and potential future uses of the Site. Therefore, no activity and use limitations are associated with this RAO. No Post RAO Operation, Maintenance, and/or monitoring is required or planned under this RAO.

9.0 CLASS A-1 RAO STATEMENT [310 CMR 40.1056]

Based on the results of the remediation performed, adequate removal of contaminated soil has been conducted in order to approach background, therefore a class A-1 RAO is applicable for the Site.

10.0 STATEMENT BY LICENCED SITE PROFESSIONAL

Based on the results of the confirmatory soil sampling, no further response actions are required and a Condition of No Significant Risk exists at the Site for current and foreseeable use.

11.0 LIMITATIONS

This Report was prepared for Polaroid Corporation, exclusively. The conclusions provided by Roux Associates in this Report are based solely on the information reported in this document. Any additional quantitative information regarding the Site, not available to Roux Associates may result in a modification of the conclusions stated above. This Report has been prepared in accordance with generally accepted geohydrological practices. No warranty, expressed or implied, is made.

12.0 REFERENCES

Clean Harbors Environmental Services, Inc., Polaroid Corporation Bid Specification and Request for Quote, Waste Water Treatment Plant – Soil Excavation, June 17, 2005.

GEI Consultants, Inc., "Release Notification and Immediate Response Action Plan", Letter from GEI Consultants, Inc. to Massachusetts Department of Environmental Protection, July 19, 2001.

GEI Consultants, Inc., "Immediate Response Action Completion", Letter from GEI Consultants, Inc. to Massachusetts Department of Environmental Protection, November 28, 2001.

GEI Consultants, Inc., "Tier Classification and Phase I Initial Site Investigation", Letter from GEI Consultants, Inc. to Mr. Richard Chandler, Polaroid Corporation, June 18, 2002.

Massachusetts Contingency Plan 310 CMR 40.0000, Subpart J: Response Action Outcomes 310 CMR 40.1000.

Roux Associates, Inc., MCP Phase II/Phase III Report, Polaroid Corporation, Waste Water Treatment Plant, 100 Duchaine Boulevard, New Bedford, MA 02745, June 17, 2004.

Roux Associates, Inc., Request for Determination of Applicability for Excavation and Removal of Contaminate Soil, Polaroid Corporation, New Bedford, MA, June 14, 2005.

Roux Associates, Inc., Phase IV Remedy Implementation Plan, Polaroid Corporation, Waste Water Treatment Plant, 100 Duchaine Boulevard, New Bedford, MA 02745, June 23, 2005.

Respectfully Submitted,

ROUX ASSOCIATES, INC.

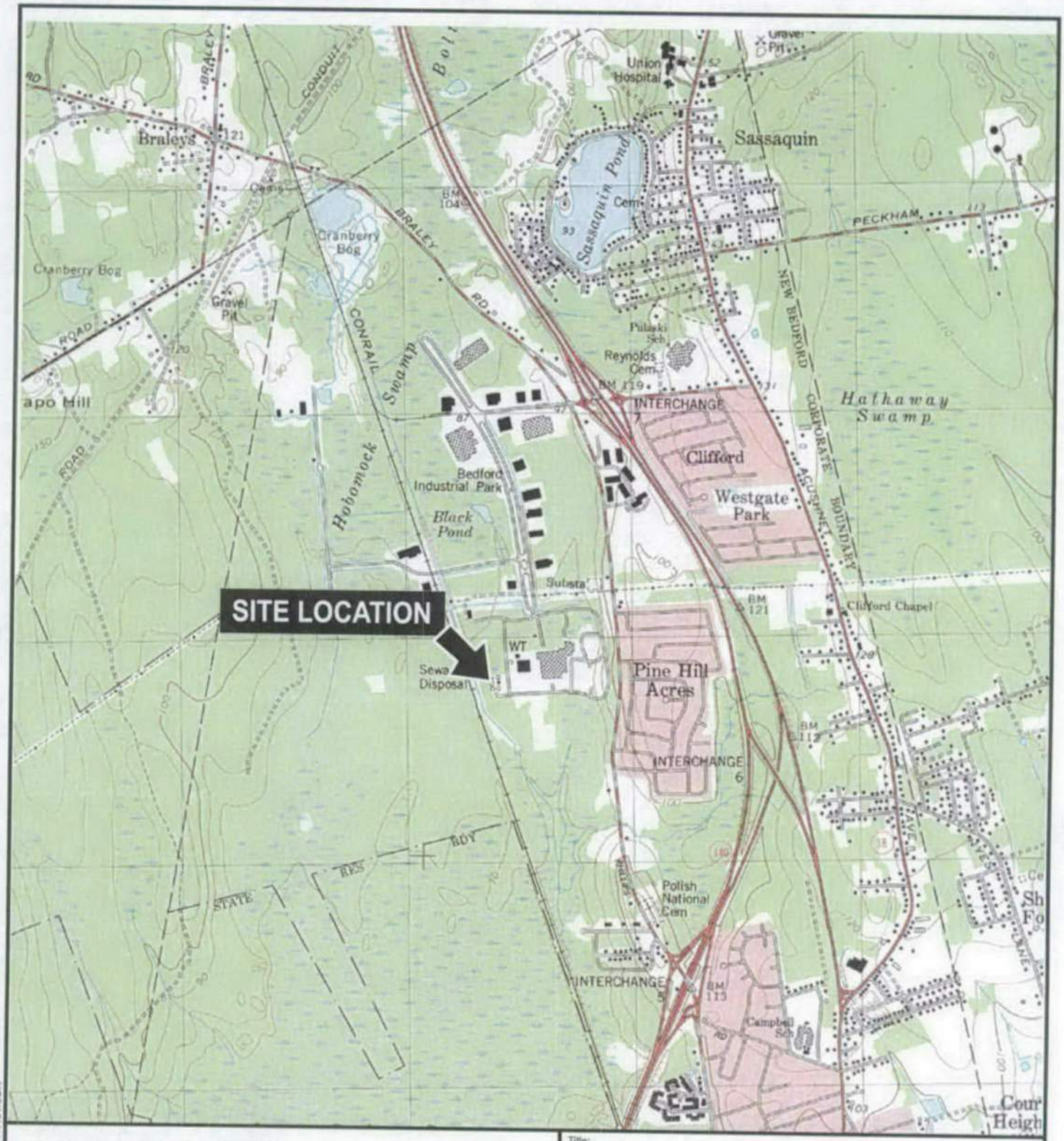
Ian Phillips, LSP
Principal Scientist / Project Manager

Table 1. Confirmatory pH Results

Polaroid Corporation
100 Duchaine Boulevard
New Bedford, Massachusetts
RTN 4-16316

Sample ID	Date	Depth (ft)	Result
Bottom Samples			
B01	7/27/2005	8.5	7.1
B02	7/27/2005	8.5	5.4
B03	7/27/2005	8.5	4.3
B04	7/27/2005	8.5	6.6
B05	7/27/2005	8	3.9
	7/27/2005	9	4.7
B06	7/27/2005	8.5	4.3
B07	7/27/2005	8.5	5.6
B08	7/27/2005	10.5	3.7
B09	7/27/2005	10.5	4.2
B10	7/27/2005	10.5	3.9
B11	7/27/2005	10.5	4.4
B12	7/28/2005	12	3.9
	7/28/2005	13	3.8
B13	7/28/2005	10	4.1
B14	7/28/2005	9	4.3
B15	7/28/2005	8	5.1
B16	7/28/2005	8	3.9
B17	7/28/2005	9	6.8
B18	7/28/2005	9	3.9
B19	7/28/2005	10	4.8
B20	7/28/2005	8	3.8
B21	7/28/2005	9	6.3
B22	7/28/2005	9	3.2
B23	7/29/2005	10	3.8
B24	7/29/2005	10	3.2
B25	7/29/2005	13	3.4
B26	7/29/2005	5	5.7
Side Wall Samples			
S01	7/27/2005	6	6.9
S02	7/27/2005	6	7.9
S03	7/27/2005	6	7.5
S04	7/27/2005	6	6.3
S05	7/27/2005	5.5	4.9
S06	7/27/2005	6	4.7
S07	7/27/2005	5	5.3
S08	7/28/2005	7	3.2
S09	7/28/2005	7	3.9
S10	7/26/2005	3	5.5
	7/26/2005	5	6.8
S11	7/22/2005	5	6.5
S12	7/22/2005	5	6.2
S13	7/26/2005	5	5.5
Ground Water Samples			
GW01	7/29/2005	16	3.7
GW02	7/29/2005	14	6.9

NOTES:
- B indicates a bottom sample
- S indicates a side wall sample
- GW indicates a groundwater sample



QUADRANGLE LOCATION

SOURCE:
USGS; 1979, New Bedford North, MA
7.5 Minute Topographic Quadrangle
Contour Interval 3 Meters
National Geodetic Vertical Datum 1929

N

0 2000'

Title:

SITE LOCATION MAP

WASTEWATER TREATMENT FACILITY
100 DUCHAINE BLVD.
NEW BEDFORD, MASSACHUSETTS

Prepared for:

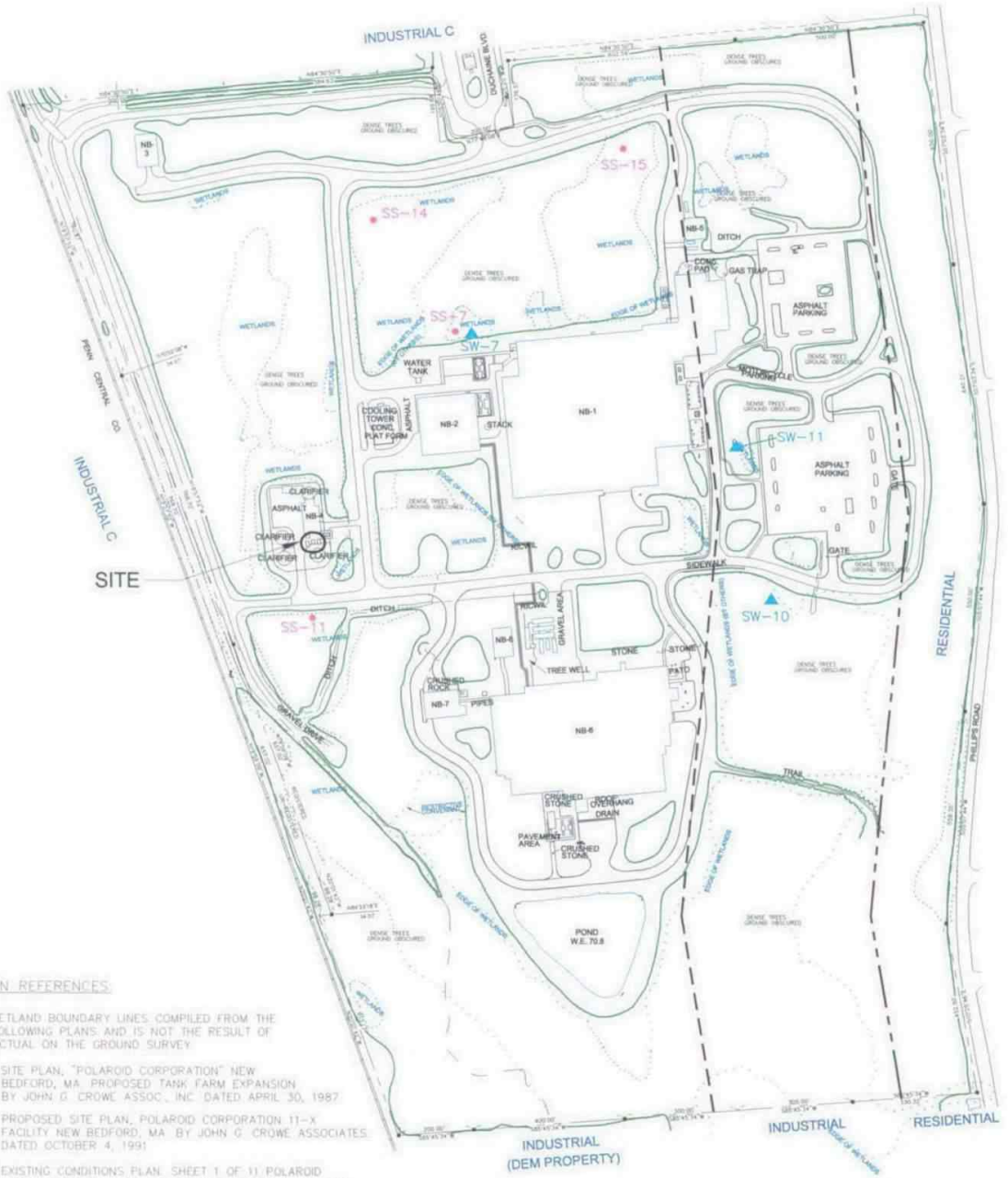
POLAROID CORPORATION

ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: CM		Date: 12/15/05	FIGURE
Prepared by: CRS		Scale: 1"=2000'	1
Project Mgr.: IP		Office: MA	
File No.: PDC10211101		Project No.: 111204M02	

N:\PROJECTS\POLAROID 1112\NEW BEDFORD\111\PDC20411101.CDR

N:\PROJECTS\POLAROID 1112\NEW BEDFORD\111\PDC20411103.dwg



PLAN REFERENCES:

1. WETLAND BOUNDARY LINES COMPILED FROM THE FOLLOWING PLANS AND IS NOT THE RESULT OF ACTUAL ON THE GROUND SURVEY.

A) SITE PLAN, "POLAROID CORPORATION" NEW BEDFORD, MA. PROPOSED TANK FARM EXPANSION BY JOHN G. CROWE ASSOC., INC. DATED APRIL 30, 1987.

B) PROPOSED SITE PLAN, POLAROID CORPORATION 11-X FACILITY NEW BEDFORD, MA. BY JOHN G. CROWE ASSOCIATES. DATED OCTOBER 4, 1991.

C) EXISTING CONDITIONS PLAN. SHEET 1 OF 11 POLAROID CORPORATION BY COLER & COLANTONIO ASSOCIATES., INC. DATED MARCH 18, 1991.

D) WETLAND RESTRICTIVE COVENIAT PLAN POLAROID SITE, NEW BEDFORD, MA. BY COLER & COLANTONIO, INC. DATED JUNE 25, 1990.

2. PROPERTY LINE INFORMATION WAS COMPILED FROM MASSACHUSETTS LAND COURT DECREE PLAN 16318, DATED APRIL 23, 1969, PREPARED BY TIBBETTS ENGINEERING CORP., FILED WITH LAND COURT OCTOBER 23, 1969.

3. PLAN PREFERENCE ENTITLED "PLAN OF LAND IN NEW BEDFORD, MASS SURVEYED FOR POLAROID CORPORATION" PREPARED BY TIBBETTS ENGINEERING CORP., DATED JUNE 10, 1969, RECORDED AT THE BRISTOL COUNTY, REGISTRY OF DEEDS, NEW BEDFORD, MASS. IN PLAN BOOK 81 PAGE 78.

4. COORDINATE AND BEARING SYSTEM BASED ON THE MASSACHUSETTS STATE PLANE SYSTEM. ELEVATIONS ON USGS MSL 1929.

5. CONTOURS AND TOPOGRAPHIC INFORMATION PREPARED BY AERIAL TOPOGRAPHIC MAPPING METHODS BY AERODATA DIGITAL MAPPING (ADM) WOLFBOROUGH, N.H.

LEGEND:

- BOUNDARY OF RESIDENTIAL ZONING AREA
- N/F — NOW OR FORMERLY
- T.M.A.01 — TAX MAP & LOT
- EDGE OF WOODS
- CURB
- CHAIN LINK FENCE
- WETLANDS LINE
- MONITORING WELL
- TEST PIT
- BORING HOLE
- SEDIMENT SAMPLE LOCATION
- SURFACE WATER SAMPLE LOCATION

300' 0 300'

NOTES:

1. MAP ADAPTED FROM OWEN HASKELL, INC., 1995.

Title:

SITE VICINITY MAP

WASTEWATER TREATMENT FACILITY
100 DUCHAINE BLVD.
NEW BEDFORD, MASSACHUSETTS

Prepared For: POLAROID CORPORATION

ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: CM	Date: 12/15/05	FIGURE
Prepared by: CRS	Scale: AS SHOWN	2
Project Mgr: IP	Office: MA	
File No. PDC20411103	Project: 111204M02	

Title:

SITE PLAN

WASTEWATER TREATMENT FACILITY
100 DUCHAINE BLVD.
NEW BEDFORD, MASSACHUSETTS

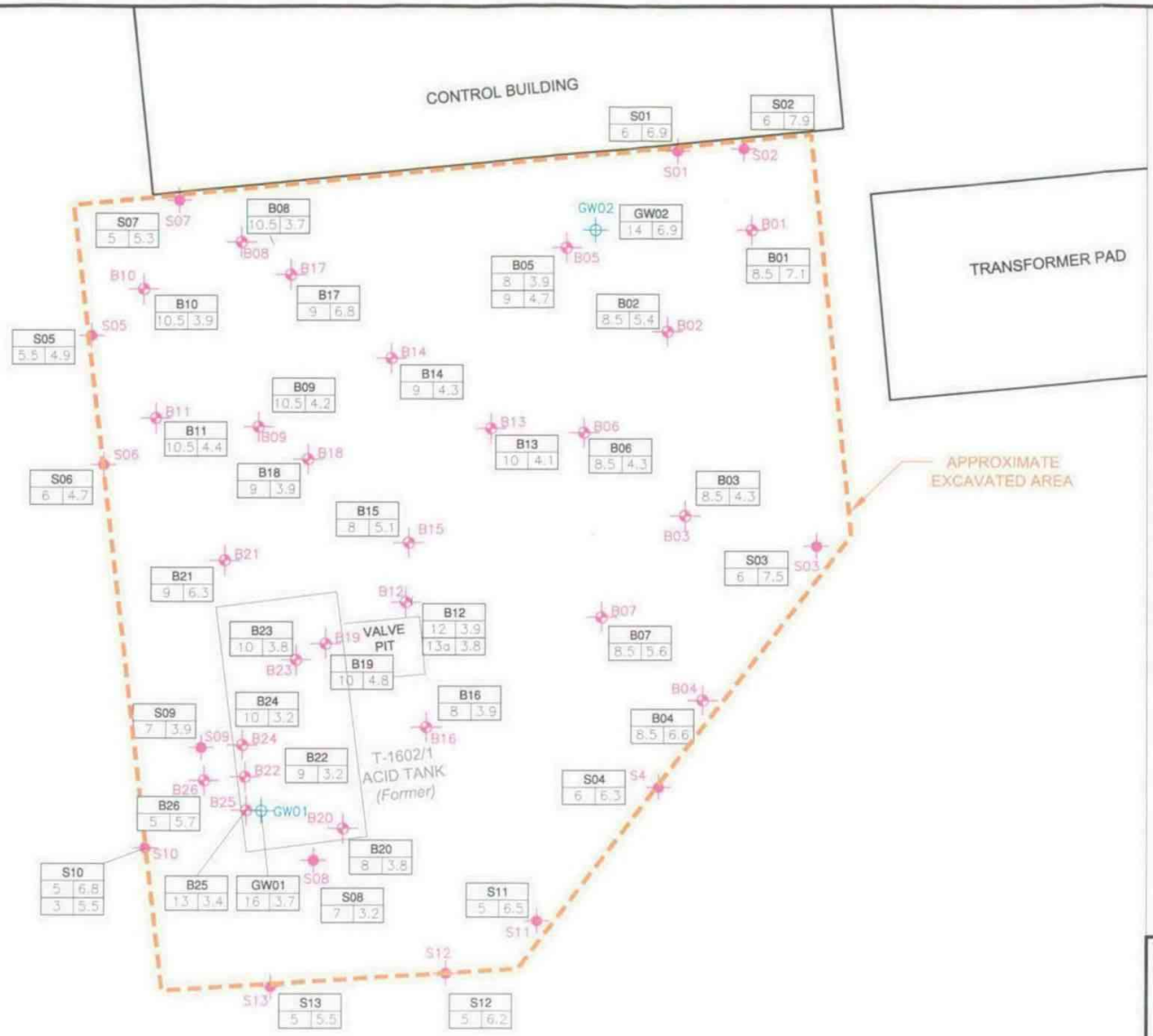
Prepared For:

POLAROID CORPORATION

ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: CM/JV	Date: 12/15/05	FIGURE
Prepared by: CRS	Scale: AS SHOWN	3
Project Mgr: IP	Office: MA	
File No: PDC20411103	Project: 111204M03	

H:\PROJECTS\POLAROID_111\NEW BEDFORD\111\PDC20411102.dwg



Title:

CONFIRMATORY SOIL pH RESULTS

WASTEWATER TREATMENT FACILITY
100 DUCHAINE BLVD.
NEW BEDFORD, MASSACHUSETTS

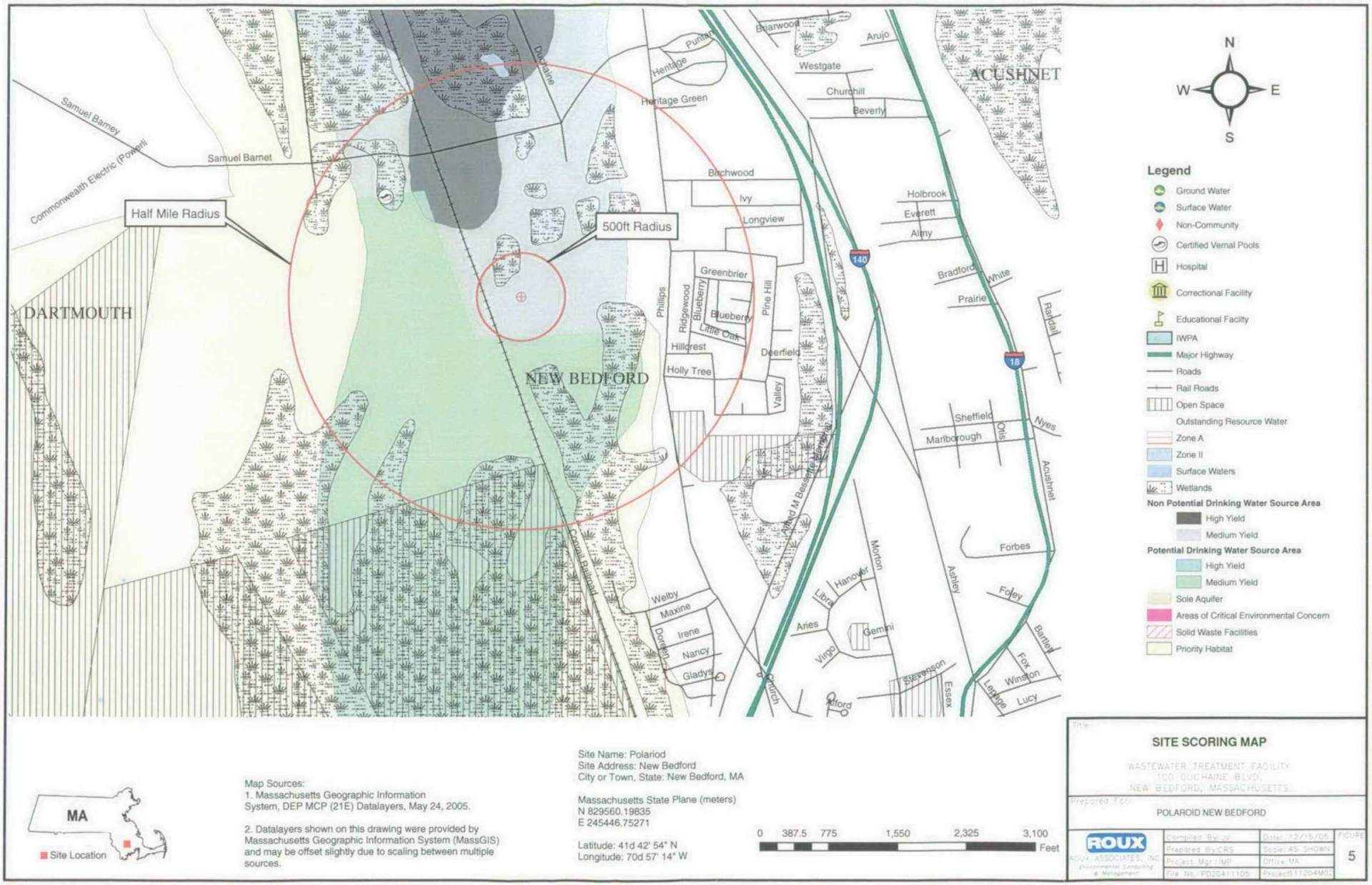
Prepared For:

POLAROID CORPORATION

ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled by: CM		Date: 12/15/05	FIGURE
Prepared by: CRS		Scale: AS SHOWN	4
Project Mgr: JP		Office: MA	
File No: PDC20411104		Project: 111204M02	

N:\PROJECTS\POLAROID 112\NEW BEDFORD\111\PDC20411104.dwg



MA

Site Location

Map Sources:
1. Massachusetts Geographic Information System, DEP MCP (21E) Datalayers, May 24, 2005.

2. Datalayers shown on this drawing were provided by Massachusetts Geographic Information System (MassGIS) and may be offset slightly due to scaling between multiple sources.

Site Name: Polariod
Site Address: New Bedford
City or Town, State: New Bedford, MA

Massachusetts State Plane (meters)
N 829560.19835
E 245446.75271

Latitude: 41d 42' 54" N
Longitude: 70d 57' 14" W

0 387.5 775 1,550 2,325 3,100 Feet

Title:

SITE SCORING MAP

WASTEWATER TREATMENT FACILITY
100 DUCHAINE BLVD.
NEW BEDFORD, MASSACHUSETTS

Prepared For:

POLAROID NEW BEDFORD

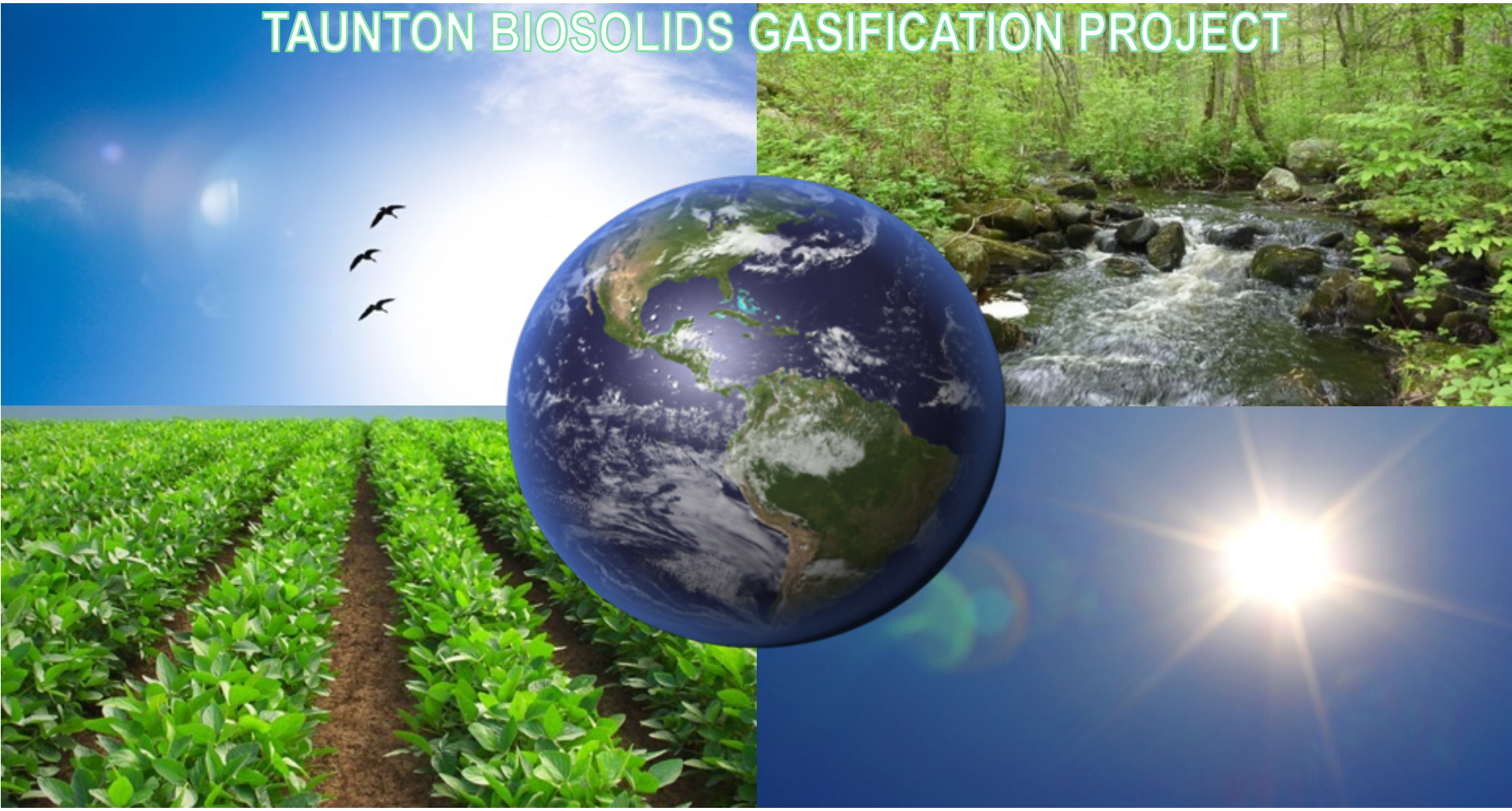
ROUX ASSOCIATES, INC.
Environmental Consulting & Management

Compiled By: JV	Date: 12/15/05
Prepared By:ERS	Scale: AS SHOWN
Project Mgr: MP	Office: MA
File No.: P020411105	Project:111204M02

FIGURE 5

T:\GIS\POLARIOD\POLARIOD 111204M\P020411105

ARIES CLEAN ENERGY

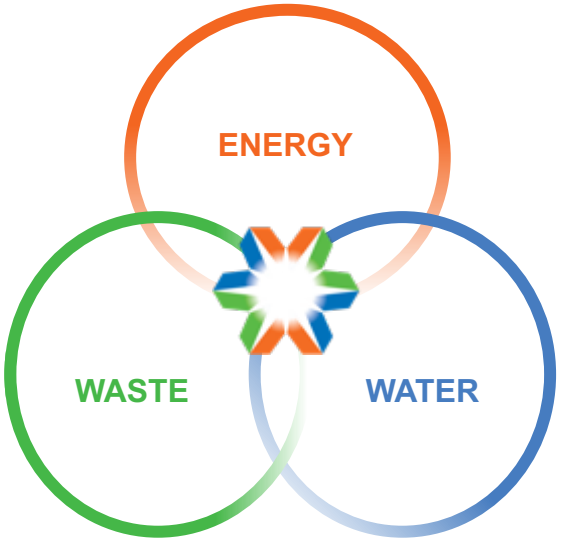


Presentation to Taunton City Council
December 29, 2020

Executive Summary – Aries Biosolids Gasification Technology

Aries Clean Energy

Based in Nashville, Tennessee, **Aries Clean Energy, LLC** is a patent holder, manufacturer and system integrator that develops projects using its **proven, proprietary downdraft and fluidized bed gasification systems for municipal and industrial customers.** Since 2010, Aries has been gasifying materials such as biosolids that would otherwise be landfilled while producing renewable and sustainable energy.



Lebanon, TN

Sanford, FL

- Closed loop energy neutral system
- 95% volumetric reduction of biosolids
- Sustainable long-term solution
- Reduces land application and incineration
- No odors from facility
- PFAS solution

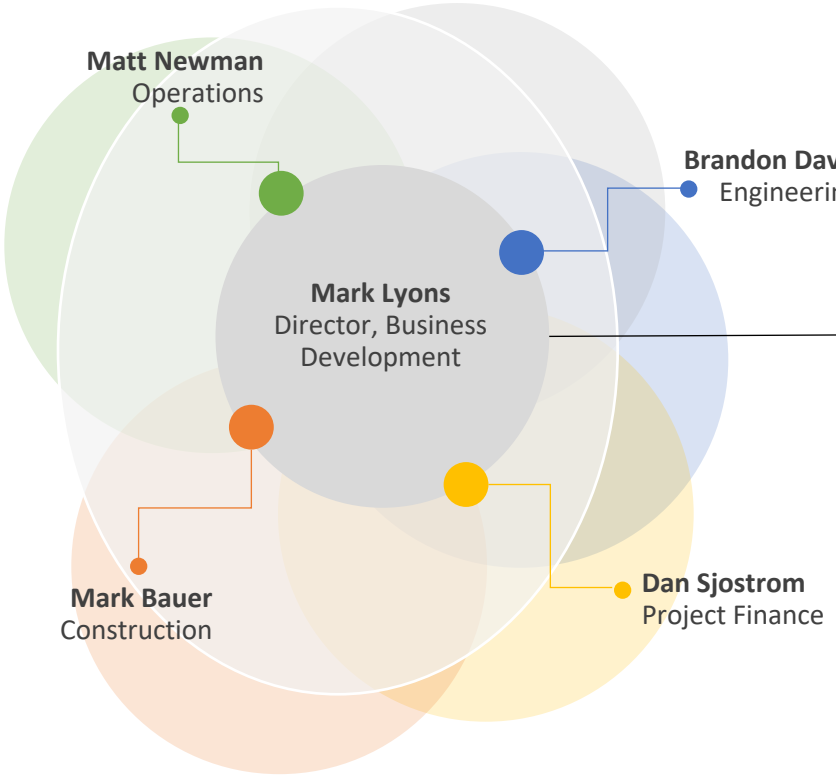
- Sustainable zero landfill solution
- Carbon neutral to negative
- Reduces biosolids hauling, reduces CO2 emissions
- Gasifier air emissions expected to be lower than existing SSI's in MA

- System produces clean, renewable heat energy from synthesis gas
- System produces a valuable biochar product that replaces coal fly ash in concrete applications

- Facility will be owned/operated by Aries
- Aries has 10+ years of technology development and operating history
- Full-scale commercial facility constructed and operating
- Fluidized bed gasifier -18 months of commercial operation
- Feedstock includes wood waste, biosolids, and agricultural waste
- Small/medium capital requirement that can be project financed
- Robust near-term project pipeline
- Experienced team with an average of 30 years in clean technology and energy

Aries Project Development Team - Massachusetts

ARIES CORE TEAM



ARIES EXTERNAL TEAM

Steve Richmond
Attorney; Beverage & Diamond

Jack Murphy
Government Affairs, Murphy Donoghue

Jack Bailey
Local Advisor

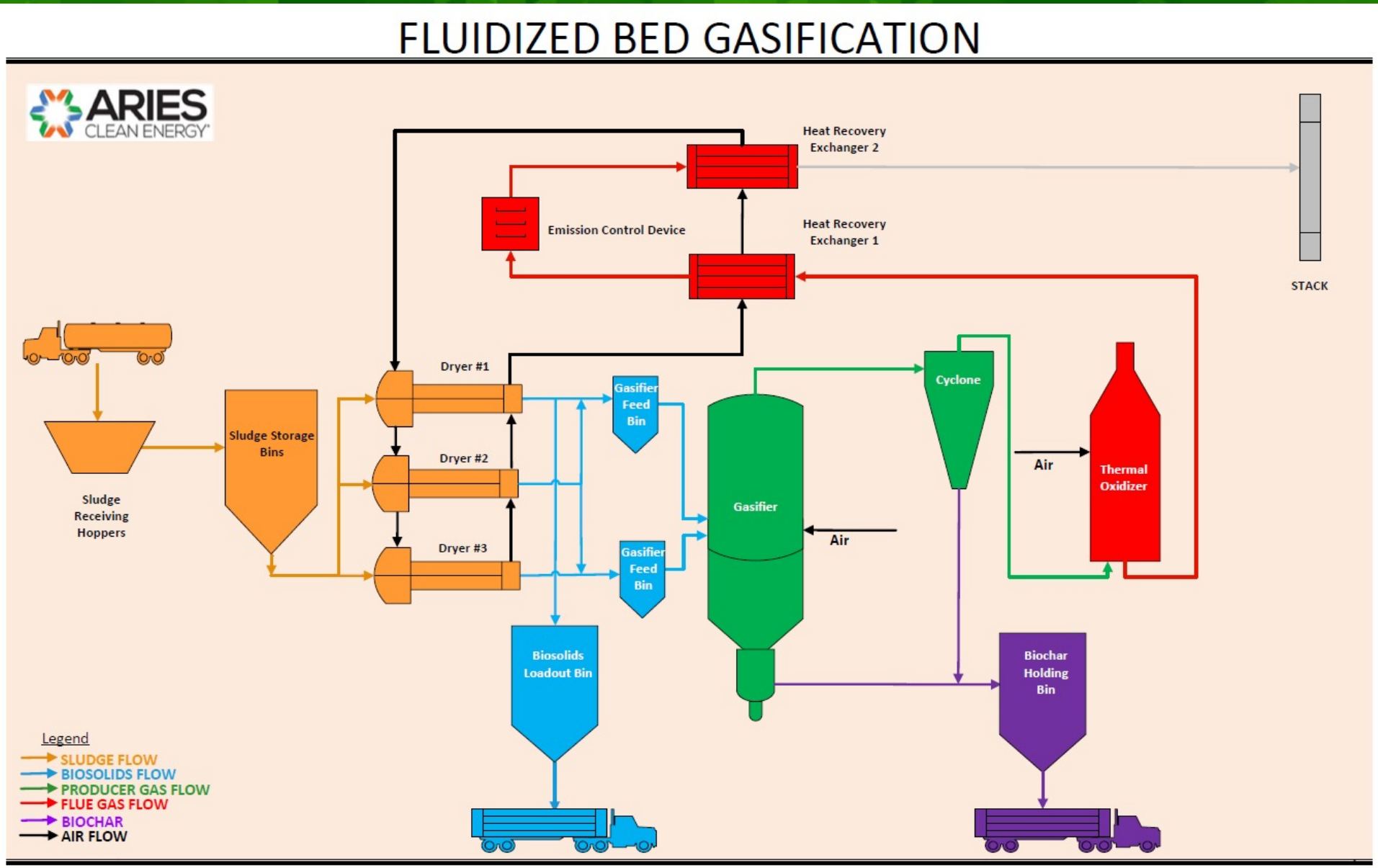
Tom Peacock
President
The Northport Group

Dale Raczynski
Permitting, Epsilon Associates

Barry VanLaarhoven
Civil Engineer
CEC

Internal Aries Project Support
Greg Bafalis – CEO
Mark Witt - CFO
Renus Kelfkens – VP Engineering
Ron Hudson - Permitting Director

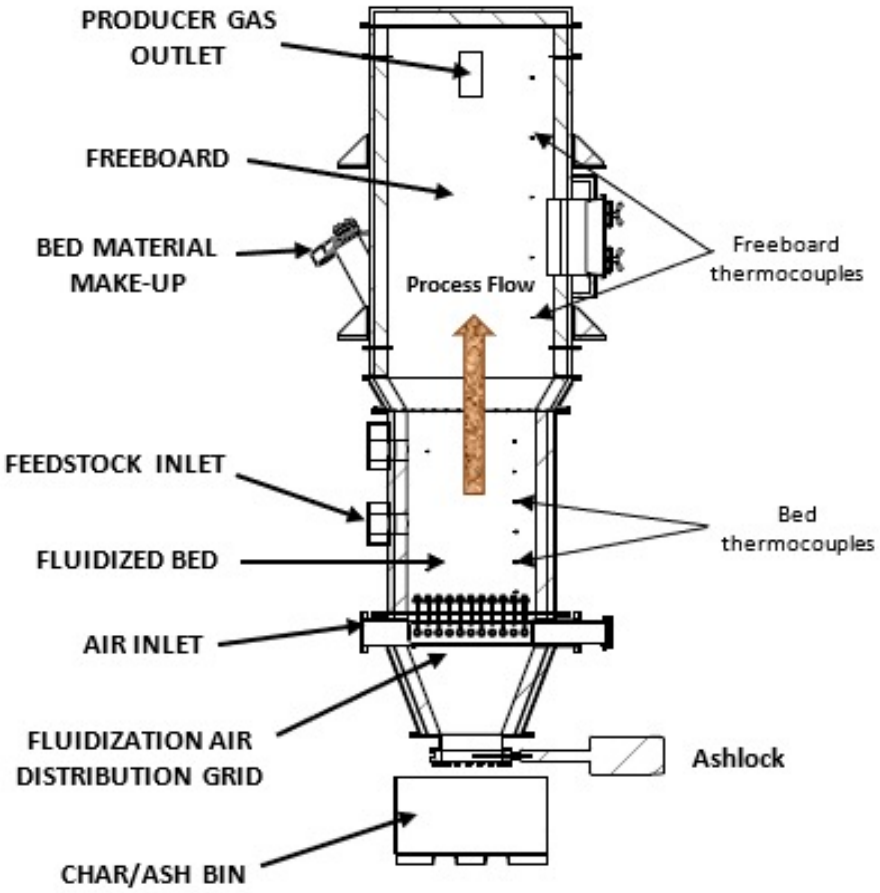
Process Flow Diagram



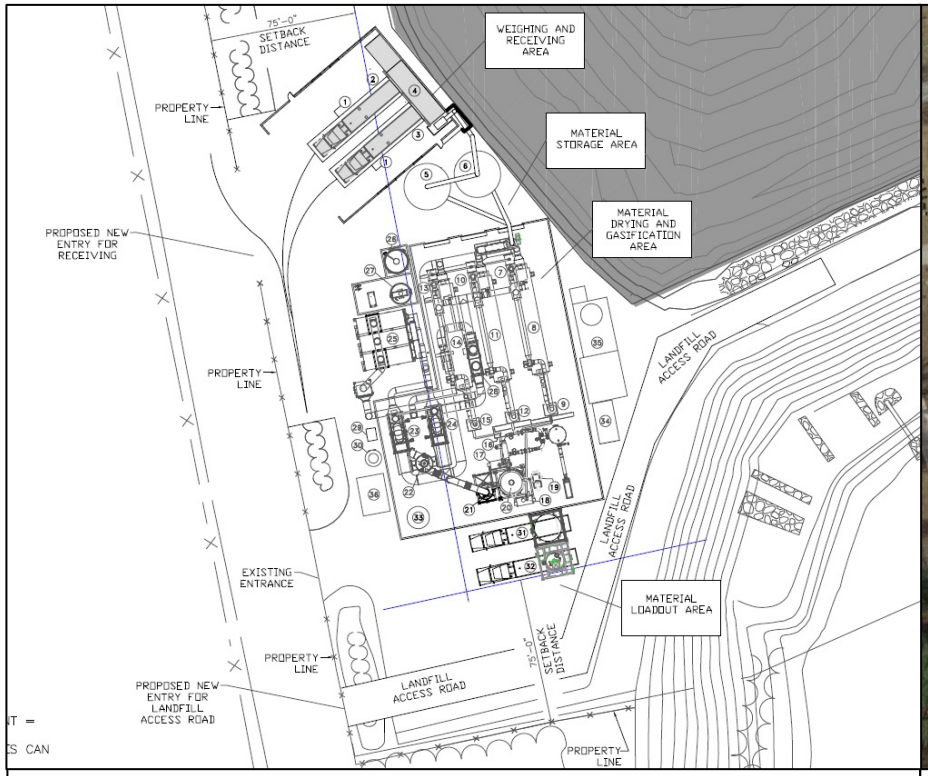
Fluidized Bed Gasification

- Conversion of biomass into a synthesis gas (syngas) in an oxygen-starved environment

- Thermo-chemical process
  - Heat generated through chemical reactions of biosolids and air
  - Bed temperature constant at 1,250°F through control of biosolids to air ratio
  - Self sustaining chemical reactions
  - Producer gas is primarily H_2, CO, CH_4 and CO_2
  - Controlled amount of air enters the gasifier so no combustion occurs in the gasifier- no potential for fires/explosions
  - Process does not require supplemental energy other than startup.



Aries Taunton – Project Site



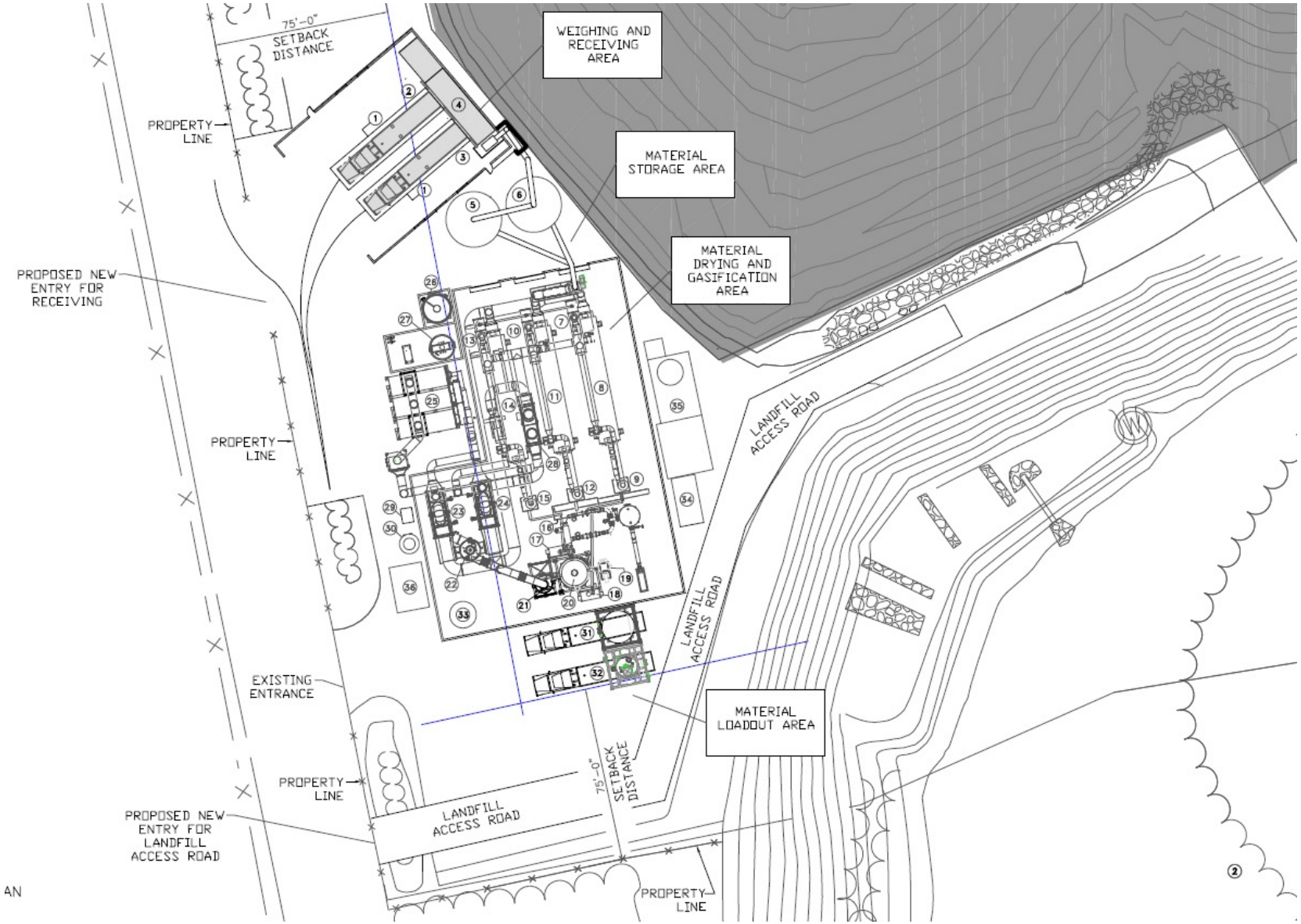
Project Milestones

- Execute Site Option Agreement – December 2020
- Execute Biosolids Supply Agreement –January 2020
- MEPA Approval: 9-12 months/ENF Filing – December 2020
- MassDEP Regulatory Permitting: ~ 6-9 months
- Financial Close – Q2 2022
- Construction – Q2/Q3 2022
- Commercial Operations – Q2/Q3 2023

System Description

- 470 TPD throughput
- 3 x 225 TPD biosolids dryers
- Dryers produce Type I biosolids used as gasifier feedstock
- 100 TPD Aries Patented Fluidized Bed Gasifier
- 25 TPD of biochar produced
- Heat recovery
- Air quality control equipment

Aries Taunton – Project Site



Aries Project Benefits to Taunton

- Substantial upfront payment to City
- Annual escalating lease payment
- Annual project revenues will be shared with City
- Most favored nation biosolids disposal pricing for City
- Relocation of landfill residential recycling drop-off area at no cost to City
- Productive use of difficult-to-develop site
- Safe/sustainable long-term biosolids solution
- 35 permanent well-paying jobs
- Purchases from local businesses by Aries
- $500,000 sewer I&I upfront payment

ARIES CLEAN ENERGY

Aries Project – Environmental Protection Features

- State-of-the-art odor control design
  - Totally enclosed biosolids receiving building under negative air pressure
  - Thermal oxidizer will destroy all VOC's/odor compounds
  - Biosolids delivery vehicles will be watertight and covered
  - No liquid biosolids will be accepted
- State-of-the-art air quality control system
  - Best Available Control Technology (BACT)
  - Better air quality than existing SSI's in MA
- Highly reduced truck traffic vs. landfill (20 trucks/day)
- No land disposal/no impact on existing landfill
- No water quality impacts
- State-of-the-art noise reduction

Aries Taunton Facility Renderings

Aries Taunton Facility Rendering

Project Profile - Aries Linden, LLC

System Description

- 430 TPD throughput
- 2 x 215 TPD biosolids dryers
- 100 TPD Aries Patented Fluidized Bed Gasifier
- 25 TPD of Biochar produced

Status

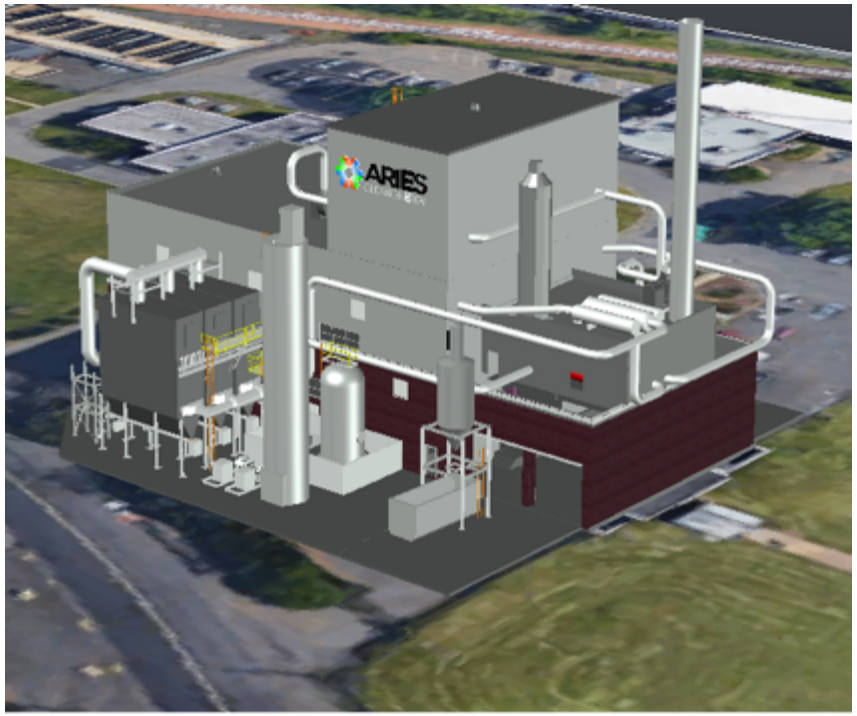
- Project achieved financial close on October 30, 2019
- Currently under construction
- Received all required operating permits through NJDEP
- Financed thru Union County Improvement Authority
  - Tax Exempt Private Activity Bonds (PABs) - $50 million
  - Bonds fully subscribed

Counterparties

- Feedstock fully contracted
- One main biosolids supplier (300 TPD)
- 125 TPD from LRSA
- Biochar – LOI to sell to local concrete company as a fly ash substitute
- Class A Biosolids – LOI in place to sell Class A biosolids produced to a soils remediation company

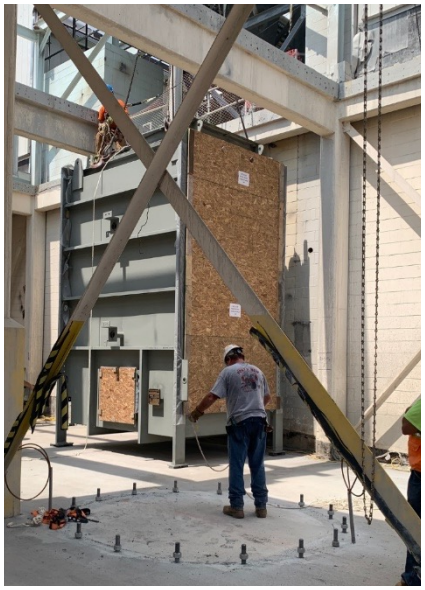
Upcoming Milestones

- Mechanical Completion – Q2 2021
- Commercial Operation – Q2/Q3 2021



Construction Update - Aries Linden, LLC



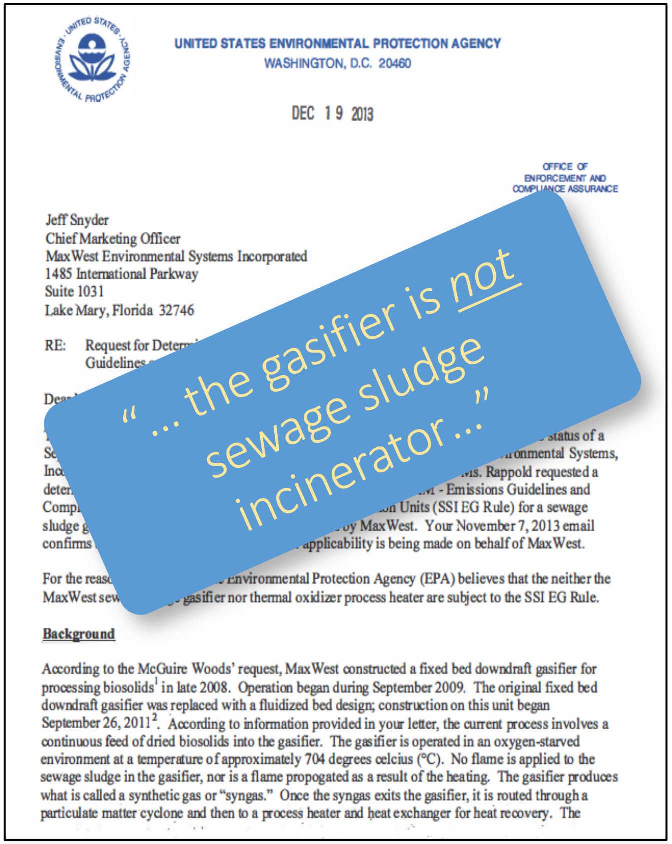





Gasification vs Incineration

Regulatory Treatment

- EPA ruled that the fluidized bed gasifier and thermal oxidizer combination is **<u>NOT</u>** classified as a sewage sludge incinerator
- Gasifiers are not regulated under the SSI rules
- Gasifier does not require supplemental energy other than startup
- NJDEP recently issued air permit for Aries Linden as a gasification facility, not incineration


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 19 2013

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

Jeff Snyder
Chief Marketing Officer
MaxWest Environmental Systems Incorporated
1485 International Parkway
Suite 1031
Lake Mary, Florida 32746

RE: Request for Determ… Guidelines…

Dea…

… status of a … Se… …ronmental Systems, Inc… …s. Rappold requested a deter… …M - Emissions Guidelines and Compl… …n Units (SSI EG Rule) for a sewage sludge g… …y MaxWest. Your November 7, 2013 email confirms … applicability is being made on behalf of MaxWest.

For the reaso… Environmental Protection Agency (EPA) believes that the neither the MaxWest sew… gasifier nor thermal oxidizer process heater are subject to the SSI EG Rule.

<u>Background</u>

According to the McGuire Woods' request, MaxWest constructed a fixed bed downdraft gasifier for processing biosolids[1] in late 2008. Operation began during September 2009. The original fixed bed downdraft gasifier was replaced with a fluidized bed design; construction on this unit began September 26, 2011[2]. According to information provided in your letter, the current process involves a continuous feed of dried biosolids into the gasifier. The gasifier is operated in an oxygen-starved environment at a temperature of approximately 704 degrees celcius (°C). No flame is applied to the sewage sludge in the gasifier, nor is a flame propogated as a result of the heating. The gasifier produces what is called a synthetic gas or "syngas." Once the syngas exits the gasifier, it is routed through a particulate matter cyclone and then to a process heater and heat exchanger for heat recovery. The

Edward Messina, Director at the Office of Compliance issued a USEPA letter that determined the following:

> *"According to the information provided by MaxWest, no flame is applied or propagated in the gasifier and the gasifier prevents combustions by limiting the air-to-sludge ratio such that combustion cannot occur. Therefore, we do not believe that the gasifier is an SSI (sewage sludge incinerator), because it does not combust sewage sludge."*

Aries Taunton Project – Next Steps

- Execute Site Option Agreement with City
- Begin the MEPA Process
  - File Environmental Notification Form
  - Noise study
  - Air modeling
  - Traffic study
  - Public outreach/public comments on project
  - Evaluate/mitigate any potential impacts
- Aries is committed to being a good long-term neighbor in the City of Taunton

THANK YOU

March 26, 2021

BY ELECTRONIC MAIL (MEPA@mass.gov)
AND FIRST CLASS MAIL

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

Re: Parallel Products of New England, LLC
100 Duchaine Boulevard, New Bedford, MA
Final Environmental Impact Report – EEA No. 15990

Dear Secretary Theoharides:

We write to offer comments on the Final Environmental Impact Report ("FEIR") (EEA No. 15990) submitted by Parallel Products of New England, LLC ("PPNE") concerning the proposed construction of a municipal solid waste and construction and demolition debris processing and handling facility and a biosolids facility (collectively, "the project") at the New Bedford Business Park. The City's detailed comments are contained in the attached letter from KP Law ("KP Law letter"), which is serving as special counsel to the City on this matter.

We oppose this project for a variety of reasons. In short, the FEIR is fatally flawed in multiple ways and that the MEPA Office should not certify it, but rather should require PPNE to submit a Supplemental Environmental Impact Report that addresses the numerous deficiencies in the FEIR. The KP Law letter sets forth the City's objections, and we summarize some of the principal ones here:

- The project, which would be located amid an environmental justice area, does not serve local interests and would place a disproportionate impact upon environmental justice populations in the City. To date, PPNE has not conducted meaningful outreach with the City or its residents to address how the burden imposed by the project on the local community would be satisfactorily mitigated.

- The FEIR does not properly analyze impacts to public health, safety, or the environment from the combined facilities that make up the proposed project. Although PPNE undertook studies during the MEPA review, the studies segregate and thus underrepresent combined potential impacts related to air quality, noise, dust, and odor.

- As described in the KP Law letter, the FEIR is deficient in dozens of other ways, including in its analysis of odor, noise, and other nuisances, greenhouse gas emissions, and wastewater, traffic, wetland, stormwater, and construction period impacts.

While the FEIR fails to adequately describe the environmental impacts of PPNE's proposed project, common sense compels the conclusion that the impacts will be significant, given the scope and nature of the project. New Bedford residents, many of whom are members of environmental justice populations, have already borne the burden of multiple waste disposal and processing facilities and other hazardous sites located in the City. They do not deserve to have another foisted upon them.

Sincerely,

Mayor Jon Mitchell

Senator Mark C. Montigny

Representative Antonio F. D. Cabral

Representative Christopher Hendricks

Representative Christopher Markey

Representative Paul A. Schmid, III

Representative William M. Straus

City Council President Joseph P. Lopes

City Councillor Ian Abreu

City Councillor Derek Baptiste

City Councillor Naomi R. A. Carney

City Councillor Debora Coelho

City Councillor Hugh Dunn

City Councillor Maria E. Giesta

City Councillor Brian K. Gomes

City Councillor Scott J. Lima

City Councillor William Brad Markey

City Councillor Linda M. Morad

KP | LAW
The Leader in Public Sector Law

101 Arch Street, Boston, MA 02110
Tel: 617.556.0007 | Fax: 617.654.1735
www.k-plaw.com

March 26, 2021

Mark R. Reich
mreich@k-plaw.com

BY ELECTRONIC MAIL (MEPA@mass.gov)
AND FIRST CLASS MAIL

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
Attn. MEPA Office
EEA No. 15990
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Parallel Products of New England, LLC
100 Duchaine Boulevard, New Bedford, MA
Final Environmental Impact Report - EEA No. 15990

Dear Secretary Theoharides:

This firm serves as special counsel to the City of New Bedford (the "City"). On behalf of the City, Mayor Jonathan F. Mitchell, the City Council, and members of New Bedford's state legislative delegation the following comments are hereby submitted with regard to the Parallel Products of New England, LLC Final Environmental Impact Report ("FEIR"), EEA No. 15990, which concerns the construction of a municipal solid waste and construction and demolition debris processing and handling facility and a biosolids facility.

This project, as proposed by Parallel Products of New England ("PPNE"), is unsuited for the location in the City and within an environmental justice area. The project does not serve local interests; instead, it purports to address long-term solid waste and biosolids needs of the Commonwealth while placing a disproportionate burden upon environmental justice populations within the City. Additionally, the project would have a detrimental impact on existing users of the business park, which is an important economic resource for the City. To date, PPNE has not conducted meaningful outreach with the City or its residents to address how PPNE's proposed regional services will address local concerns, specifically how the burden the project will impose on the local community will be satisfactorily mitigated.

Further, PPNE has not properly analyzed impacts to public health, safety, or the environment from the combined facilities that make up the proposed project. While PPNE undertook studies during the MEPA review, many assumptions in those studies are inadequate for a solid waste transfer station or a biosolids drying project individually, much less for a project that combines both such operations. The studies segregate and thus underrepresent combined potential impacts related to air quality, noise, dust, and odor within each portion of the site from the dryer, the transfer station, the loading and unloading of materials, or mobile sources coming to and from the facility.

As a result, it is impossible for PPNE to properly characterize how this project would mitigate adverse health and environmental impacts, including specific impacts upon disadvantaged residents within the City. These unresolved concerns suggests that the project cannot be properly permitted or conditioned at this juncture.

Therefore, the City maintains its strong objection to the project as proposed, as it would have a clear negative impact on public health, safety, and the environment with little to no City need or City benefit demonstrated. The City requests that the MEPA office require PPNE to address the City's environmental justice concerns and the numerous deficiencies in the FEIR as part of the MEPA review process and require additional analysis of these impacts. As proposed, with the lack of adequate study and analysis, the project simply cannot be approved. A Supplemental Environmental Impact Report, answering each of the concerns listed in this letter, must be required from PPNE before a certificate may be issued for this proposed project.

Project Overview

As you are aware, the PPNE project site at 100 Duchaine Boulevard in the City of New Bedford is within a business park near full capacity with existing businesses. The site comprises 71 acres and currently contains 92,220 square feet of building space. The proposed project would include 150,175 square feet of additional building space and canopy space of 75,525 square feet, in addition to a 27,500 square foot expansion to the existing glass handling building. As noted in the FEIR, this would result in a two-acre increase in impervious area at the project site, or a total of 25.8% impervious surface lot coverage. Phase 1 of the project consists of expansion of a recycled glass handling facility, an associated rail spur for disposition of the glass product, and solar panels for generation of 1.9 MW of power. The rail spur was specifically proposed for Phase 1. Phase 1 is currently proceeding under a waiver included in the Final Record of Decision.

Phase 2 of the project would consist of construction of a municipal solid waste ("MSW") and construction and demolition debris ("C&D") processing and handling facility as well as a biosolids facility. A 5,000 square foot handling building would be constructed into which material would be delivered by truck in either baled or unbaled form, as well as loose material in trucks. C&D material and bulky waste would also be accepted. MSW would be processed in an existing building to allow for extraction of recyclable materials. Materials would be stored in rail cars on a rail spur and shipped from the facility by rail, or loaded on to trucks and shipped off-site. At full capacity, PPNE claims that the facility could produce 1300 tons per day of baled residual waste and up to 50 tons per day of dried biosolids, to be shipped from the site in rail cars or trucks. Up to 250 tons per day of recycled glass would also be shipped from the site by rail. However, the discussion in the studies and supplemental information provided by PPNE include additional options and operating scenarios. It is unclear how the proponent proposes that these variations in throughput could be conditioned or enforced.

Facility Need

The City is on the record declaring that this proposed facility was not solicited, desired, or needed as part of either the City's biosolids handling and disposal plan or its solid waste transfer station plans. In New Bedford alone, just a few miles to the south of the proposed facility, are two solid waste transfer stations with a combined capacity of up to 1,774 tons of solid waste per day (the City of New Bedford Transfer Station and the New Bedford Waste Services Transfer Station). Further, the City contracts for wastewater treatment processing and biosolids management on 20-year cycles and has already addressed those needs. Therefore, this project will provide little local benefit, but the City and the neighborhood will absorb the impacts. The need for the facility and its supposed benefit to the City must be properly balanced against the potential impacts. That balance has not been demonstrated by PPNE, with the proposed project imposing a disproportionate burden upon the City and the neighborhood.

The proponent's argument in support of this facility seems to center around the state's long-term solid-waste and biosolids handling needs. If a regional facility is the true purpose, then a regional or statewide site selection process should be undertaken to determine the optimal location for the facility to minimize potential local and regional environmental and greenhouse gas impacts. Such a process would surely result in a more favorable location elsewhere in the state where there is local, as well as state and regional, need.

Environmental Justice

Inextricably related to the above conclusion that there is no demonstrated need for the facility is concern that the facility will have disproportionate impacts on already overburdened environmental justice communities. The Executive Office of Energy and Environmental Affairs ("EEA") has mapped approximately one-half of the City of New Bedford as being composed of different and overlapping environmental justice populations, with the project itself located in a designated environmental justice area. The environmental justice populations are identified by the following characteristics: (i) income; (ii) income and minority characteristics; (iii) minority status; and (iv) income, minority and English isolation status. These populations have been burdened by a history of hosting a disproportionate share of solid waste facilities to support the economy and infrastructure of Massachusetts.

There are multiple active landfills and transfer stations in and near New Bedford, in addition to historical waste sites. Until a few years ago, just 14 miles to west was the BFI/Allied Waste landfill in Fall River, accepting up to 1,950 tons of solid waste per day. As identified by DEP on its list of inactive landfills, there are three closed landfills in the City of New Bedford, including the Hanford Demolition Dump, the New Bedford Landfill, and the Liberty Street Dump, that still must be monitored for potential off-gas and contaminant migration. Further, New Bedford is home to two Superfund sites, including Sullivan's Ledge, a former quarry where hazardous materials and other

wastes were deposited, and New Bedford Harbor, where manufacturers discharged PCBs into the harbor. Sullivan's Ledge has been permanently capped, and EPA has made significant progress toward reducing the concentration of PCBs in New Bedford Harbor. Now PPNE proposes to add significantly to this current and historic mix of waste disposal and processing.

This concentration of active and historical waste disposal and processing facilities created a disproportionate burden on the residents of the City historically, which continues to this day. Many thousands of tons of solid waste are transported through the streets of the City and adjacent communities every single day. The movement of wastes is well in excess of the wastes generated in the immediate region, with the attendant truck traffic, diesel emissions, odors, noise, air emissions and safety concerns. The City and its residents currently bear these burdens at a rate that is unfair in relation to other regions of the state that do not have environmental justice populations and that do not host this high concentration of waste facilities. This new facility would only add to that disproportionate burden.

Article 97 of the Massachusetts Constitution secures for residents of the Commonwealth the right to clean air and water and to freedom from excessive and unnecessary noise. The EEA Environmental Justice Policy explains how EEA will ensure these protections for members of environmental justice populations, committing to protect the environmental rights of Massachusetts residents, particularly those in urban neighborhoods in the Commonwealth's older industrial areas. The policy notes that residents in these communities are more likely to live near sources of pollution and old abandoned contaminated sites, which can pose risks to public health and the environment. The policy specifies that increased attention should be focused on communities located in older urban areas with a legacy of environmental pollution and, importantly, commits to promoting for environmental justice populations positive economic development that is consistent with environmental protections. For any projects triggering the MEPA environmental justice thresholds, the policy commits the MEPA Office to "ensure that appropriate measures are taken by project proponents to address any potential environmental impacts the project may have on the existing [environmental justice] populations."

In a community with significant environmental justice populations, it is a fundamental requirement of the Environmental Justice Policy that EEA take necessary steps to ensure these populations are protected. To achieve the appropriate protections, this project must pause, the applicant must engage with the City, there must be increased dialogue with concerned residents, and additional protections must be incorporated to address community concerns. EEA can require this engagement as a condition to completion of the MEPA review process, and the City requests that it do so now.

Insufficient Documentation Concerning Condition of Site

PPNE has not provided sufficient data to demonstrate that changes in intended use or construction activities at the site, given the current condition of the site soil and groundwater, will not adversely impact health, safety, or the environment. The existing site conditions and historical soil contamination, both surficial and sub-surface, must be fully analyzed before any proposed alterations may be considered and new uses could be properly conditioned. The FEIR review must be predicated upon the assumption there is contamination at the site given the known historical chemical usage by any camera and film producer.

The project site was operated for a number of years by the Polaroid Corporation. That historic use includes known contamination. While a Phase I Environmental Site Assessment was conducted by Sage Environmental, no favorable data or results were provided. Online data available from DEP includes two Release Tracking Numbers ("RTNs") related to former operations on the site. RTN 4-10113 was issued in 1993 and relates to a 1986 fuel oil release at the site. Notices of Noncompliance were issued in 1995. On September 3, 1998, Parsons Infrastructure & Technology Group informed former site owner Polaroid of potential outcomes of abandonment in place of concrete bunkers classified as underground storage tanks ("USTs") at the site. RTN 4-16316 addressed a limited release of sulfuric acid at the site in 2001. An audit was completed in 2008.

The City is unaware of the resolution of these RTNs, or the possibility of other undocumented releases or discharges at the site. No documentation presented to date in the DEIR or FEIR addresses concerns regarding residual site impacts, and there has been no known comprehensive soil, groundwater, or sediment data evaluation completed for the site. The absence of such documentation, given the past history, is a serious deficiency which must be addressed by PPNE before any new use may be considered. It is simply impossible to assess the potential environmental impact of site redevelopment without a thorough assessment of this industrial site, where complex organic compounds and specialty metal salts were used in vast quantities.

List of FEIR Deficiencies

In addition to the comments provided above, and those the City previously provided in response to the DEIR, the following is a listing of deficiencies with the FEIR. While many of these concerns are interrelated, these concerns should be addressed individually by PPNE through a Supplemental EIR. If they are not properly addressed, the proposed project cannot be approved with respect to potential adverse impacts to health, safety, and the environment. Project studies will need to clearly demonstrate that there is no undue burden placed upon an Environmental Justice area. Particularly, PPNE will need to properly explore the combined impacts upon health, safety, and the environment from existing facilities throughout the City and these two new co-located facilities proposed on the project site.

1. **The MEPA Environmental Justice Policy Requires an Enhanced Analysis of Impacts.** The proposed PPNE sludge facility triggered MEPA review because it exceeds the wastewater review threshold at 301 CMR 11.03 (5)(b)(5). Under the MEPA Environmental Justice Policy, a project exceeding a mandatory EIR threshold for solid waste or wastewater must be subject to an enhanced analysis of impacts, including but not limited to a mitigation measures assessment, I/I reduction assessment, and an analysis of any degradation of the stressed receiving water body, parts of which are still closed to shellfish harvesting because of the City's existing disproportionate burden of environmental pollution. The project simply cannot be considered without enhanced impact analyses.

2. **Added PFAS to the City's Wastewater Treatment System Must be Evaluated**. A major concern not addressed in the DEIR and given inadequate attention in the FEIR is the potential for polyfluoroalkyl substance ("PFAS") contamination present in the incoming waste materials. PFAS compounds have very low exposure thresholds because they do not break down easily inside or outside the human body, and the cumulative effect can be harmful to human health. PFAS compounds will be present in biosolids. PFAS compounds in leachate from the dewatering or sludge drying processes cannot be eliminated because of their high thermal destruction temperature. Thus, any wastewater created in processing, or cleaning, will transfer these compounds into the City's wastewater treatment system. The expected loading or partitioning must be explored and quantified, and the potential impact to the City must be explored, or the project simply cannot move forward. Further, PPNE does not evaluate the implications of being a Significant Categorical Industrial User. Without such evaluation, the project cannot be legally approved, nor approved with conditions.

3. **PPNE Wrongly Suggests a "Wait and See" PFAS Approach is Sufficient.** PPNE suggests that DEP is still developing regulations/restrictions for PFAS in biosolids and associated wastewater. PPNE states that it will develop the design of the biosolids processing facility in compliance with all new regulations that come into effect. Regulations are not needed to assess the potential exposure and risk from these compounds; therefore, at a minimum, these potential exposures and risks should be evaluated and predicted at the MEPA level before approval with PFAS conditions can even be considered. Without a full evaluation of proposed PFAS treatment and mitigation measures in the context of discharge to municipal wastewater treatment facilities, a substantial risk and cost liability burden is placed on the City. This "wait and see" approach cannot result in a favorable project finding.

4. **Added PFAS in the Air Must be Properly Mitigated.** The temperatures in a sludge drier are insufficient to break down any vaporized or adsorbed PFAS compounds. These compounds will be emitted from the drier and will touch down via standard dispersion characteristics or via wet deposition as the exhaust cools in the atmosphere. The emission and potential inhalation exposure must be explored, and an

assessment of this risk must be combined with the study of potential risks from other exposure pathways.

5. **Added PFAS to the Groundwater Must be Properly Mitigated.**
As mentioned above, a dryer does not have sufficient thermal energy to break down PFAS compounds, so any airborne PFAS will pass through a drier exhaust and settle out nearby via wet or dry deposition. It is notable that the site property is located on a potentially productive aquifer, which would be subject to PFAS contamination from the proposed project. Since PFAS compounds do not break down naturally and are very soluble in water, a large fraction would likely dissolve into the ground and make their way to groundwater. Further, any PFAS compounds that leach from the biosolids or solid waste materials on-site could be added to the surface water and eventually into the groundwater. It is imperative that potential groundwater exposure pathways be evaluated and that the potential for additional PFAS in the area be properly studied.

6. **Analysis of Potential Existing Background PFAS Must be Undertaken Before Any New Use May be Considered that Would Add to the Existing Background Conditions.**
PFAS compounds are not a single compound but a family of compounds that were created to protect and shield materials from water exposure. Polaroid made use of such chemicals when it operated at the site. In fact a former Polaroid employee is quoted as saying, "Polaroid film is, in my estimation, the world's most chemically complex completely man-made product ever" and included "brand new chemicals that have never been used before."[1] PFAS compounds were used in just about everything during Polaroid's peak popularity. Potential existing contamination by PFAS and other compounds at the project site must be fully explored by any potential new user, prior to redevelopment. Since this project could add more contaminants to a site that already is compromised and is located adjacent to a residential neighborhood, PPNE must be completely thorough and transparent in this analysis before MEPA approval can be considered.

7. **The Wastewater Analyses Erroneously Assume Loading and Flows Based Upon Treatment of City of New Bedford Biosolids.**
The City takes exception to any assumption that this facility will treat the City's biosolids. The City is under contract elsewhere and has no written agreement with PPNE. As a result, PPNE's wastewater, leachate, and filtrate loadings assumptions in its analyses are flawed. These studies cannot be considered valid and must be redone with the maximum potential for flows and loading based upon unknown and uncommitted sources.

[1] https://www.bostonglobe.com/lifestyle/2015/08/23/herchen/h0jiY73U0lEfdHES5aXopO/story.html

8. **With Missing and Erroneous Filtrate Composition, Dryer Condensate Composition, Blowdown Composition, Washdown Composition, Loadings, and Water Quality Parameters Provided, PPNE Cannot Discharge to the City.**
Without inclusion of loading and composition data or assumptions, and analyses of how this wastewater stream will not adversely impact the existing wastewater plant, PPNE cannot assume that it can discharge into the City's wastewater treatment plant. Further, since the traffic studies do not consider this waste stream being shipped elsewhere for treatment, this project cannot be approved as proposed.

9. **A Commitment to Pay the City for the Treatment of All Flows Does Not Eliminate Potential Wastewater Treatment Fatal Flaws.**
PPNE would be required to pay for the facility discharge into the City's wastewater treatment plant in the same manner as any industrial operator. However, the project cannot be deemed viable, and therefore cannot be approved or conditioned, without the proper wastewater treatment plant loading and impact assessment. With little loading information provided to determine whether PPNE would create EPA "Interference" or "Pass Through" concerns, it is impossible to know whether its discharge would create violations at the treatment plant.

10. **Discussing Dry Tons of Biosolids Does Not Address the Potential Adverse Impacts from the Amount of Materials in All Stages of Receiving, Processing, Packaging, Emissions, and Hauling.**
The purpose of a drier is to transform a wetter material into a drier product. While PPNE characterizes its operations and drying efficiency on a "dry ton" basis with respect to heat demand, the City is very concerned that the evaluation of adverse impacts is based upon a maximum throughput potential of 50 tons, since the incoming material can be anywhere from three to twenty times more than the mere "dry tons". The City previously noted this concern in its prior comment letter to the MEPA office. The City remains very concerned that the City and MEPA cannot fully understand the full scope and magnitude of the number of trucks, size of facility, and overall impacts with analyses and studies based upon dry tonnage.

11. **The Default Traffic Impact Must be Considered Significant, Meaning Typical "Screening Thresholds" for Level of Service, Accidents, and Traffic Noises Cannot be Applied to Two Co-located Facilities of These Sizes.**
The City is concerned with the traffic impacts from each of the two facilities proposed for this site. Negative traffic impacts increase exponentially with two regionally sized wastewater and solid waste facilities co-located in this one location. The size of these facilities create Level of Service (LOS) concerns in many areas, especially at times of congestion and with normal traffic avoidance tactics. Based upon existing traffic conditions and the size of the proposed facilities, MEPA should adopt the premise that there will be a significant increase in adverse impacts based on the more intensive uses proposed at the site. The traffic study provided is inadequate in that it dismisses intersections globally based upon

a typical screening threshold. Additional analysis must be required as part of the MEPA office review.

12. **Available Accident Data Indicating that the Baseline Accident Rate is Above Average is Ignored.**
The crash history presented in the Updated Traffic Impact Study included as Appendix 13 indicates that the intersection of Theodore Rice Boulevard and Duchaine Boulevard experiences a crash rate that currently exceeds both the District and Statewide crash rates for unsignalized intersections. Given the unique geometry of this intersection, the proposed project will likely create a significant increase in truck traffic using the westbound left turn movement and northbound right turn movement during both the AM and PM peak hours. Furthermore, given that there are two co-located facilities, there may be more than one AM and PM peak. PPNE should provide additional analysis regarding the safety of this unique intersection as a result of the increased traffic generated by the proposed project

13. **Previously Expressed City Concerns and Readily Available Accident Data from Individual Crashes Are Ignored.**
The City had recommended that PPNE obtain crash reports for crashes at the Theodore Rice Boulevard-Duchaine Boulevard intersection from the local Police Department in order to provide more information on the nature of the crashes. The City also asked that PPNE consider performing a Road Safety Audit with the City to determine if there is an existing issue with the current geometry, lighting, signage, or pavement markings that might be addressed as part of this project to improve safety at this location. While PPNE provided a new study updating traffic volumes for 2020, it is recommended that the crash data also be updated to reflect the most recent five years. An Audit may shed light on the higher-than-expected crash rate at this intersection. It was noted that the fatality that occurred is suspected to have resulted from a street race, but no source was cited for this speculation. There is also a known pedestrian injury which is not discussed in the FEIR. While traffic and traffic improvements are ultimately local issues, this intersection is currently a potential fatal flaw that must be addressed at the MEPA level. Without true fatal flaw traffic analyses, the project cannot be approved at the state level. The inadequate traffic review must be updated to address specific issues from two new co-located facilities and the significantly higher existing industrial traffic percentage in this area.

14. **Existing Traffic Assessment Demonstrates a Level of Service Fatal Flaw.**
The Capacity Analysis Results tables have been updated to include more information on actual delay values; however, once the delay values at the Route 140 ramps exceed 500 seconds, it appears the information was not deemed significant and was not shown. A comparison of the increase in delay between 2027 No-Build and Build cannot be performed without referring to the Synchro Analysis in the Appendix. Upon review of the Synchro Analysis, it appears that some of the movements at the Route 140 ramps will experience an

increase in delay of more than 100 seconds at one location and over 3000 seconds at another, which would be considered significant impacts of the project. This obvious stress on the traffic system will compromise public safety, and so adequate review and mitigation strategy are necessary.

15. **Current Roadway Layout, Markings, and Signage is not Adequate for any Increased Traffic.**
The intersection of the existing site driveway and Duchaine Boulevard currently lacks adequate travel lane markings and signage. The fact that this basic concern is not identified or addressed indicates that there was insufficient effort applied to the traffic study to date, and so needs to be completely reassessed. This is especially necessary given the impacts from two regionally-sized facilities, with trucks, trains, and passenger cars traversing the two locations on-site, and with different needs and objectives occurring simultaneously. This proposed project will add further confusion in the area. With no plan offered to address, fund, and improve the roadways in this area as part of the PPNE traffic mitigation plan, the project cannot be properly conditioned or approved.

16. **Proposed Truck Routes and Actual Truck Routes May Differ; Combined Traffic Impacts Must be Properly Assessed.**
Further examination and analysis of the expected truck routes must be provided by PPNE regarding all potential traffic patterns near residences or other sensitive receptors. It is insufficient to compartmentalize potential traffic impacts from the two stationary facility operations. The potential combined impacts of traffic from both facilities, as well as the cumulative impacts from the stationary and on-site facilities, and from on-road and non-road equipment, must be examined. PPNE makes a proposal in the draft Section 61 finding (mitigation commitment) to try to enforce truck routes by contract, which would be inadequate and does not result in a workable or sustainable solution.. To properly assess the potential impacts from two large regional projects proposed in a single trucking endpoint, all potential truck routes should be evaluated at the MEPA level for compliance with any DEP policies, and to determine the potential for adverse impacts to health safety, or the environment.

17. **No Rational Basis has been Provided for Trucking Hours outside of Normal Weekday Business Hours, Which Operations Will Have a Disproportionate Impact on Local Residents.**
Even if Truck Routes can be reasonably enforced, traffic from both facilities will result in noticeable impacts to nearby residents and sensitive receptors. Further evaluation of truck routes is necessary before potential hauling hours for the two facilities can even begin to be discussed. While most facilities would like the most flexibility in operations, PPNE's intention to deliver sludge to the facility seven days a week, 5 AM to 9 PM from Monday through Saturday, 6 AM to 6 PM on Sundays, has not been properly examined or justified.

Biosolids and trash do not have any specific weekend or evening hauling requirements. Many such facilities have significantly narrower windows of operation. PPNE has not justified why these atypical non-business hours are necessary in comparison to the added impact these hours will cause the City and its residents.

18. **Waste Handling Operations and Storage Quantities are not Adequately Defined to Prevent Adverse Operating Conditions.**
PPNE indicates waste receiving, tipping, handling, and loading will occur in an enclosed area; however, the handling of the waste material at the facility before it is placed inside requires further analysis. Waste must be placed somewhere, and then be moved, packaged, and ultimately removed. A throughput of 1,300 tons per day is a significant quantity of material at the facility that must arrive, be processed, and packed for outbound shipment (via either rail-car or truck). Each day approximately 26 million pounds of trash, equivalent to approximately 120,000 bags of household trash (or other materials) would pass through the facility. PPNE does not fully commit to a maximum allowable residual waste left at the end of each processing day, whether it is baled or freshly tipped waste. The project simply cannot proceed without definition of basic data assumptions that impact waste movement patterns, timing and duration of open doors, fugitive emissions, elevated emissions from aged waste, and the ability to deal with upset conditions. With the equivalent of 120,000 bags worth of trash coming through the facility a day, PPNE must provide a contingency plan to address any outbound issue or concern which may delay or prevent off-site transport, and how such events would impact the undefined quantity of material present in the MSW operations area. The proposed project simply cannot be assessed without this most basic waste assumption included in any PPNE supplemental EIR study.

19. **The MEPA Process is Not the Proper Venue to Review the Complex Air Quality Impact Potential from a Combined Sludge Drier and Solid Waste Transfer Station.**
In Section 5.10 of the FEIR, the applicability section suggests that the proposed facility may be subject to DEP Air Plan approval. This project must be subject to a permit application, submission, review, and conditioning due to emissions for the following reasons:

    a. Odor can cause a condition of air pollution pursuant to 310 CMR 7.00, Air Pollution Control. While there is no numerical threshold for permitting, a facility processing 1,300 tons of waste and hundreds of tons of wet sludge will likely trigger an Air Plan Approval review requirement for odor nuisance alone.
    b. Air toxics will be emitted in the drier process that, while not triggering a weight per year threshold, will be a local health concern.
    c. Noise will be emitted from the combined facilities, from on-site and off-site equipment, and from potential "Build versus No Build" traffic increases from trucks, train engines, rail cars, non-road equipment operating outside and inside buildings

with open doors, large odor control system fans and exhausts, and typical vehicular traffic.

d. Dust from the facilities can cause a condition of air pollution from both a respirable basis and from a nuisance basis. The proposed facilities will have combined dust potential from solid waste and wastewater biosolids receiving, processing, packaging and hauling, and as a result, a non-major Air Plan approval is required to properly define and explain how the nuisance potential for dust will be properly addressed.
e. The site location is depressed in elevation with respect to the surrounding neighborhood; therefore, the complex terrain should be addressed in the proper combined impact assessment.
f. The City has many other industrial sites, requiring proper analysis of background conditions. The combined facilities will result in incremental emissions increases in addition to those of other historical or current uses on-site or in the area.
g. PPNE made many assumptions in its studies that would typically be reviewed in a protocol with DEP as part of the permitting process.
h. The proposed facility is in a potential Environmental Justice Area, and therefore should be carefully examined and scrutinized. This is simply not a project that can skip the Air Plan Application and Review Process involving appropriate officials at DEP.

20. **All Studies or Evaluations Need to Consider Both Facilities, Stationary and Mobile Sources, and Non-Road and On-Road Sources.**
The project, composed of two facilities, must be reviewed and permitted as a whole, and not with respect to individual facility aspects. While individual combustion sources operating independently may be exempt from permitting, such a perspective is not sufficient to justify a limited or no Air Plan application. Furthermore, the result of these combustion sources providing heat to buildings and dryers creates additional air contaminants by increasing the vapor pressure and through separate fugitive, point, area, and volume releases of air pollutants or air toxics. Any assessment of permitting applicability, or review of potential impacts, must consider all emissions and releases from the two facilities acting together.

21. **The Odor Control Technology Discussion Does Not Justify the Atypically High Percentage Removals Provided.**
The odor control technologies proposed have not been fully described. The odor destruction/removal percentages presented would suggest that odor is simply eliminated, which is contrary to how odor control actually works. Converting odorous compounds to less odorous compounds in an effort to limit odors will still result in the presence of odors. It is unrealistic to assume a very high blanket removal of total odor from the technologies presented. The removal percentages and justifications should be discussed along with other options in a formal Best Available Control Technologies analysis.

22. **All Potential Waste Odor Sources are not Included.**
While PPNE provides an odor analysis, it is unclear what sources are considered beyond those associated with waste bags breaking open. Clearly, the quantity of waste and the age of waste transported to and stored on-site will factor into the potential odor emissions. These concerns are not addressed in the application. All potential odor emission sources should be formally identified and the control technologies fully analyzed. As a result, the project currently cannot be properly assessed or conditioned with respect to odor control.

23. **Improper Capture Assumptions Result in Underestimating Fugitive Odor and Dust Emissions**.
PPNE provides a calculation that suggests with three doors open there is sufficient airflow to capture 90% of the odor and other emissions. The velocity through the open doors would be less than 1 mile per hour with a conservative assumption that all intake air came in through these doors. This general assumption is fatally flawed in that it drastically underestimates potential odor capture from this project as proposed. Any fugitive emissions occur with minimal to no dispersion potential, and 0% control efficiency. Reasonable fugitive emissions assumptions based upon the specific facility ventilation parameters need to be developed before an odor or dust assessment can be updated properly.

24. **A Total Odor Assessment is Intended to Examine Combined Odor from Multiple Facilities.**
PPNE analyzed odor from the two co-located facilities independently. The rationale provided was that the facilities will emit "different odors". It does not matter to an abutter whether an offensive odor has the characteristics of MSW or biosolids, trucks or waste stored outdoors. To someone experiencing a malodor, all odor experiences combine and count against any abutter's tolerance for odor as one net experience. In fact, the metric "total odor" or "D/T" is used specifically to combine different odors and evaluated the total or combined impact. The only way to properly assess odor is to "draw a box" around all sources on-site and off-site that currently add, or would add, additional odor potential, and assess the total odor potential from all combined sources. The independent odor studies are meaningless in assessing the potential for adverse impacts from the project as proposed.

25. **Noise is Unwanted Sound and its Nuisance Potential can Only be Assessed by Exploring the Incremental Change in Total Combined Sound for all Sources.**
PPNE analyzed noise from the stationary sources and mobile sources independently. The analysis should include all sources on-site and examine the total sound potential from all combined sources offsite, including backup beepers. A facility-wide sound study can be completed many different ways. The approach and assumptions in such a study should be formally proposed to DEP as part of the permitting process prior to undertaking the study.

26. **The Background Sound Assumption Needs to be Protective of all Potential Time Periods.**
It is unclear why PPNE did not use the lowest measured background sound over the long-term monitoring period to determine noise impacts from the combined facilities. One week of sound monitoring merely provides a snapshot of sound, as there are likely days throughout the year when the sound is higher and lower than this data set suggests. An examination of the increase in total sound during the quietest time periods, which will be apparent to the residents, will likely indicate that the combined sound from the proposed project would exceed the DEP allowable incremental threshold. The noise analysis needs to consider the potential impact to abutters or neighbors with the lowest known background conditions.

27. **Dust from all Sources Impact Should be Analyzed Cumulatively.**
Again, as with the other air quality or nuisance parameters, the application should consider the cumulative impact from all dust sources on-site and examine the total dust potential from all combined sources offsite, including existing and new stationary and mobile on-road and off-road emissions. The facility-wide dust study should be formally proposed in a protocol to DEP as part of an air permitting process.

28. **Wetlands Spatial Impact Area Triggers Other Permit Requirements.**
The Order of Conditions for the project lists the impacts for the project at 4,095 square feet ("SF") permanent and 1,209 SF temporary bordering vegetated wetland ("BVW") impacts (total 5,304 SF of impact). At greater than 5,000 SF of impacts to BVW, typically both a 401 Water Quality Certificate and an Army Corps of Engineers Pre-Constriction Permit are triggered. No evidence has been presented of such permitting. PPNE must be required to provide that documentation for consideration and comment as part of this review process.

29. **Increased Rainfall Could Impact Stormwater Management.**
PPNE must also be required to evaluate stormwater management resilience in light of projected increases in springtime and annual total precipitation and intensity.

30. **The New Substantial Wetland Crossing Structure Proposed Requires Public Input.**
The stream crossing has been revised from a culvert to a bridge. While this may be an appropriate proposal revision, PPNE should be required to conclude whether a Chapter 91 License is necessary for the stream crossing and, if so, there should be an analysis of this issue in the MEPA process so that public comment can be solicited and incorporated.

31. **Sludge Drying Greenhouse Gases (GHGs) can be Reduced via Heat Recovery.**
The GHG emission potential from sludge drying is directly related to the combustion of fuel to provide the energy necessary to achieve the desired drying temperature, and then to provide the heat of evaporation to vaporize moisture in the sludge. PPNE's GHG analysis addressing sludge processing was limited to energy use associated with lighting, ventilation

and heating. The energy required to reach temperature can be reduced via heat recovery. The analysis indicates that PPNE was considering gasification and heat recovery, and might install these options in the future, but was not doing so now. However, PPNE provided no GHG benefits analysis regarding inclusion of heat recovery as a design requirement. The MEPA GHG policy requires consideration of project alternatives with greater GHG emissions-related mitigation than the preferred option. A mitigation analysis must be included in this MEPA process.

32. **Sludge Drying Greenhouse Gases (GHGs) can be Reduced via Gasification.**
The GHG emission potential from sludge drying is directly related to the combustion of anthropogenic fuel to provide the energy necessary for drying. One way to reduce the fuel demand is to gasify or digest the natural sludge material to pull energy or heat value out of the sludge itself to offset some of the anthropogenic fuel demand and thereby reduce the GHG impacts. Again, the analysis indicates that PPNE was considering gasification and heat recovery, and might install these options in the future, but was not doing so now. However, PPNE provided no GHG benefits analysis regarding inclusion of gasification as a design requirement. The MEPA GHG policy requires the consideration of project alternatives with greater GHG emissions-related mitigation than the preferred option. A mitigation analysis must be included in this MEPA process.

33. **Sludge Drying is a Huge Contributor to Greenhouse Gases (GHGs).**
PPNE should provide a GHG analysis that explores the cradle-to-grave GHG potential from the proposed sludge drying process, which is an energy intensive process. Other biosolids stabilization alternatives that may create significantly less GHG potential impact must be considered.

34. **The City's GHG Commitment to its Residents is Contradicted by this Proposed Facility.**
The City strongly disagrees with PPNE's position that GHG reduction is a global rather than a local issue. While the impact from not reducing GHG emissions in local communities will be felt on a global basis, the mechanisms for GHG reductions can only be accomplished locally, on a site-by-site, and project-by-project basis. The City considers GHG emissions reduction to be a local responsibility and its Climate Action and Resilience Plan commits to net zero Green House Gas emissions from the City by 2050. A demonstration must be made to show that this commitment can still be achieved with this project added to the City's existing baseline GHG emissions.

35. **Construction Impact Assessments are Missing so the Proposed Project Studies and Information Provided are Incomplete.**
PPNE does not provide a description of how construction period impacts will be controlled. No details are provided regarding means and mechanisms to be used to protect abutting

parcels and resource areas from noise, air quality impacts, dust, or erosion. PPNE must be required to provide a detailed development impact statement and associated construction schedule and demolition plan outlining mitigations for noise, odor, and air quality. PPNE must be required to provide more detail in these areas and provide a Stormwater Pollution Prevention Plan and a site-specific construction stormwater management plan outlining all Best Management Practices from the DEP Stormwater Handbook and the Massachusetts Erosion and Sediment Control Guidelines and how they will be utilized on a project specific level.

The City reiterates the concerns raised in its letter of comment on the project DEIR and repeats its assertion that PPNE has not sufficiently estimated the facility's potential impacts on the City. PPNE has not provided the necessary studies and analyses to ensure that the residents of New Bedford will be adequately protected with the addition of this combined facility within a designated Environmental Justice area, and within a City that does not need or desire these facilities or the services PPNE proposes to provide.

PPNE's incomplete and inadequately substantiated assessments are problematic. PPNE's permitting approach compartmentalizes the project, so as to view each of the co-located facilities individually, creating a false demonstration of health, safety, and environmental compliance. The combined impact of the two proposed facilities has never been evaluated, and therefore the co-located facilities simply cannot be approved or conditioned as proposed, in a reasonable or responsible manner.

It remains the City's position that this project is not in the best interest of the residents of New Bedford. The City stands strongly opposed to this project and the significant negative impacts it will bring to the City and the region.

Your attention to this important matter is greatly appreciated.

Very truly yours,

Mark R. Reich

MRR/cqm
cc: Mayor Mitchell
City Council
Senator Mark Montigny
Representative Antonio Cabral
Representative Christopher Hendricks
Representative Christopher Markey
Representative Paul Schmid
Representative William Straus

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 26, 2021

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

RE: FEIR Review EOEEA #15990
NEW BEDFORD. Parallel Products of New England (PPNE) at 100 Duchaine Boulevard

Dear Secretary Theoharides,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Final Environmental Impact Report Form (FEIR) for the Parallel Products of New England (PPNE) Project at 100 Duchaine Boulevard, New Bedford, Massachusetts (EOEEA # 15990). The Project Proponent provides the following information for the Project:

The Site is an industrially zoned, approximately 71-acre parcel, located within the New Bedford Business Park. The Site location and property boundaries are shown in Figure 1 using an aerial view. The Site was previously developed by Polaroid and already includes access roads, parking areas, and various buildings. Much of the existing infrastructure will be used in developing the proposed Project. New buildings will be constructed for glass processing, municipal solid waste (MSW) and construction and demolition (C&D) waste tipping, and biosolids drying.

PPNE is proposing to develop the Site in two phases. Phase 1 construction will consist of the construction of a glass processing building and equipment and construction of a rail sidetrack from the main line rail to the 100 Duchaine Boulevard Site. The glass processing area will consist of a 27,500 sf building to house the processing equipment.

Phase 2 of the Project includes the construction of a municipal solid waste (MSW) processing/handling facility and the biosolids processing facility. Currently, significant quantities of MSW and biosolids are being trucked out of state for treatment and disposal. PPNE will construct a facility to collect and process this material in Massachusetts and then ship the residual waste out of state by rail for disposal.

The processing proposed will also significantly increase transportation efficiencies and reduce greenhouse gas emissions. The proposed solid waste handling facility will accept up to 1,500 tons per

day of MSW delivered to the facility by truck. The proposed facility will process the MSW to extract recyclable material from the MSW. PPNE expects to recover and recycle approximately 20% of the MSW received, which is supports the Massachusetts solid Waste Master Plan and is state-of-the-art for the Commonwealth. The non-recyclable fraction of the MSW along with the C&D residuals/bulky waste will be then loaded in rail cars for transport to out of state disposal sites, primarily landfills.

Bureau of Water Resources Comments

Wetlands. The FEIR addresses the Wetlands Program comments.

Waterways. Chapter 91 authorization is not required because the intermittent stream crossing is not considered a navigable waterway pursuant to the Waterways Regulations at 310 CMR 9.04(1)(e).

Underground Injection Control. The Proponent acknowledges the Project is subject to the requirements of the Underground Injection Program.

Wastewater Residuals. At the time of submittal of the FEIR, the Proponent is assuming that the wastewater residuals (biosolids) will be classified as a solid waste and disposed off at a permitted, out of state solid waste facility (personal communication with Gregory Wirsen (Green Seal Environmental, Inc.) or accept wastewater residuals (not a solid waste), the Proponent will be required to obtain a Certified Wastewater Treatment Operator at the appropriate grade to maintain continuity with state and federal wastewater regulations so that the material can be classified as a wastewater residual. This Certified Wastewater Treatment Operator may be a different grade or classification than that required by the Project's New Bedford Industrial Pretreatment Program Permit. To maintain the classification as a wastewater residual, the material cannot be mixed with a solid waste. This possibility will be addressed during the Solid Waste permitting process.

Bureau of Waste Site Cleanup Comments

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 are identified during the implementation of this Project, notification pursuant to the Massachusetts Contingency Plan (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

Bureau and Air and Waste Comments

Solid Waste. MassDEP Solid Waste staff (Solid Waste) has reviewed the Final Environmental Impact Report ("FEIR") for the Parallel Products of New England Project at 100 Duchaine Blvd in New Bedford ("Project" or "Site" or "facility") EEA No. 15990.

Solid Waste Comments:

1. Based on its review of the FEIR for the Parallel Products of New England Project at 100 Duchaine Blvd in New, EEA No. 15990, the Massachusetts Department of Environmental Protection (MassDEP) Solid Waste Management Section has determined that the Proponent has adequately addressed its comments previously provided in Draft Environmental Impact Report. Additional detail will be required in the site assignment permit application and authorization to construct permit application should the Project site receive a positive site determination from the MassDEP and be granted a site assignment by the City of New Bedford Board of Health.

2. Solid Waste Permitting: The proposed Project will require the following solid waste permits:
    - Site Suitability Report for a New Site Assignment (BWP SW 01);
    - Authorization to Construct a Large Handling Facility (BWP SW 05); and
    - Authorization to Operate a Large Handling Facility (BWP SW 06).

3. The site assignment process is meant to determine if a parcel of land is a suitable location for a solid waste management facility. Anyone proposing to build a new solid waste landfill, combustion facility or transfer station is required to submit a site suitability report to MassDEP which reviews the report to determine whether the parcel of land meets specific criteria for use as the site for a solid waste management facility. The Agency forwards its findings to the local Board of Health, which then must decide whether or not to issue a Site Assignment for the facility being proposed. The Site Suitability Report for a New Site Assignment (BWP SW 01) is unlike all other MassDEP solid waste permits, in that MassDEP does not make the decision whether to site assign or not site assign a property. Ultimately the local Board of Health will decide whether to approve or deny a Site Assignment for a proposed facility.

4. MassDEP seeks input from the public - including individuals, communities, and groups - before it issues certain types of solid waste management permits or approvals. The following permits or decisions have public comment periods:
    - BWP SW 01 applications: There is a 21-day public comment period.
    - Board of Health Site Assignment Decisions: The Board of Health must hold a public hearing in accordance with 310 CMR 16.20.
    - BWP SW 05 applications: There is a minimum 30-day public comment period.
    - BWP SW 06 applications: Public comments are not required prior to issuing a decision, but MassDEP may issue provisional approval with a deferred effective date to allow for 21-day public notice/comment period**.**

    All solid waste applications may be reviewed online at: https://eeaonline.eea.state.ma.us/EEA/PublicApp/.

See the following link to learn more about how to participate in MassDEP solid waste permitting decisions: https://www.mass.gov/service-details/how-to-participate-in-massdep-solid-waste-permitting-decisions

5. Outreach: MassDEP acknowledges the outreach performed by the Proponent which included the following:
    - Distribution of fact sheets and comment cards with pre-paid postage.
    - Public meetings at various locations.
    - Public meetings advertised on radio, social media, and newspapers including The Standard Times, Portuguese Times, and New Bedford Guide; and
    - Outreach to community leaders identified by MEPA.

    MassDEP recommends the Proponent continue the same level of outreach throughout the permitting process.

    If any future public meetings will be held virtually due to COVID-19, MassDEP recommends that the Proponent evaluate how a virtual format could impact public participation with additional consideration to residents who may not have access to a computer or broadband internet.

    Additionally, MassDEP recommends that Project-related air pollution and environmental impact information be shared with EJ communities in alternative format (translation, interpreter services) if applicable. This information should be provided using terms that are easily understood to ensure the community understands the Project, its potential impacts, and can provide meaningful input.

6. Pre-application Meeting: MassDEP will require the Proponent to attend a pre-application meeting prior to submission of the BWP SW 01 application to discuss comments received from the public on the FEIR and to ensure the facility design and operational measures will comply with solid waste regulations and applicable policies with an emphasis on odor, noise, and traffic mitigation. These measures may include facility changes such as negative air pressure, carbon filters, neutralization agents, and operational changes such as door opening and closing, facility cleaning regiment, waste load management, vehicle queuing, and MSW/C&D/biosolid storage. For the Proponent to demonstrate the facility operations will not result in nuisance conditions, MassDEP reserves the right to require additional measures such as sound monitoring and odor surveys to demonstrate compliance with site assignment requirement to prevent and control nuisances at 310 CMR 16.40 and permit and operational requirement 310 CMR 19.000. Information pertaining to this requirement is available at: https://www.mass.gov/how-to/sw-01-38-site-suitability-report.

7. Biosolid Maximum Daily Tonnage: The FEIR states that “The facility will accept and process up to a maximum of 50 dry tons per day of biosolids”. The Proponent should be aware that any future solid waste permits will establish a maximum daily tonnage rate based on inbound “wet” tons and not on outbound “dry” tons. The Proponent should propose a biosolid maximum daily tonnage rate before commencing solid waste permitting. It should be noted that the Traffic Impact Study (TIS) assumed that the proposed facility would accept 400 tons per day of biosolids.

8. Construction and Demolition Debris: The FEIR states that the proposed facility intends to accept Category 2 C&D (C&D processing residuals) and Category 3 C&D (bulky waste). The Proponent should be aware that MassDEP's Construction & Demolition (C&D) Minimum Performance Standard (MPS) applies to permitted C&D Processors and Large C&D Transfer Stations (together referred to as C&D Handling Facilities) facilities. For more information about the C&D Minimum Performance Standard, please refer to the following:
    - C&D Minimum Performance Standard: https://www.mass.gov/doc/minimum-performance-standard-for-construction-demolition-handling-facilities/download
    - C&D Minimum Performance Standard FAQs: https://www.mass.gov/doc/frequently-asked-questions-faq-minimum-performance-standard-for-cd-handling-facilities/download

9. Noise: In general, the Proponent has addressed MassDEP's comments previously provided in Draft Environmental Impact Report regarding noise however, additional details will be required in MassDEP permit application submittals. The Proponent incorporated the following changes to the sound study and/or to the design of the proposed facility in response to MassDEP's comments on the DEIR:
    - The revised sound study in the FEIR evaluated short duration sounds including back-up alarms, idling locomotive, and railcar couplings. The revised sound study did not evaluate dump truck tailgates, however, MassDEP requires all solid waste facilities to implement Best Management Practices (BMPs) to prevent truck tailgates from slamming.
    - The revised sound study established background sound levels based on the lowest hourly L_{90} sound level data point rather than the average of the daily lowest hourly L_{90} sound levels. (Note, see comment 10.d below for a related comment)
    - The proposed biosolids building was increased in size such that all truck backing up to deliver biosolids will be within an enclosed building.
    - The noise wall was increased in size to minimize noise impacts from rail operations.
    - The proposed glass building extension was revised such that rail cars can be loaded with glass within an enclosed building.

10. The Proponent concluded that the revised sound study "documented that sound impacts will be avoided, minimized, and mitigated to the extent feasible." Based on a review of the revised sound study, MassDEP finds that there is not sufficient information to determine if sound impacts will be avoided, minimized, and mitigated to the extent feasible. MassDEP will require the Proponent to attend a pre-application meeting prior to submission of the BWP SW 01 application to discuss revisions to the sound study to address the following:

    a) The revised sound study in the FEIR evaluated short duration sounds or "intermittent sound" in addition to evaluating continuous sound sources. The revised sound study evaluated the following intermittent sound sources: back-up alarms, idling locomotive, and railcar couplings. The revised sound study evaluated the following continuous sound sources: two (2) biosolids rooftop fans with fan silencers; one (1) biofilter fan with 5 dBA additional reduction; one (1) biofilter stack with silencer; four (4) cooling towers with 5 dBA additional reduction; seven (7) 25,000 CFM rooftop exhaust fans with 5 dBA additional reduction; MSW handling with the MSW building with (three 3) open bay doors on the west side of the building and

one (1) open railcar loading bay door; one (1) baghouse exhaust for the glass building with 2 dBA additional reduction; and one (1) ventilation opening for the baghouse exhaust.

The revised sound study evaluated the impact of intermittent sound sources separately and independently from the continuous sound sources. The evaluation for continuous sound sources predicted a maximum 8 dBA increase above background sound levels. The evaluation for intermittent sound sources for the idling locomotive predicted a maximum 10 dBA increase over background sound levels. The Proponent did not provide adequate information to justify the decision to evaluate continuous sound sources and intermittent sound sources separately. During MassDEP permitting, the Proponent must demonstrate that the sound study evaluates the cumulative noise impacts from the proposed Project.

b) The revised sound study evaluated the Project-related sound impacts at the nearest inhabited building(s). MassDEP will require the Proponent to evaluate the Project-related sound impacts at both the nearest inhabited building(s) and at the property line.

c) The revised sound study predicted Project-related sound impacts using "only whole numbers" and indicated that "calculations were performed using values with additional precision." The Proponent should clarify this statement.

d) The revised sound study states background sound levels were determined based on the lowest hourly L_{90} sound level data point. The revised sound study states that "the existing ambient sound level that corresponds to this lowest hour is 30 dBA" and that "data from the last day of monitoring, July 3rd, was not included in the analysis as it was a holiday weekend and thus was not representative of a typical day." Based on MassDEP's review of the existing ambient sound level data that was presented in the DEIR, the lowest hourly L_{90} data point is 28 dBA which occurred on July 3, 2018 at 3:00 A.M. The Proponent did not provide adequate justification for why data from July 3rd was excluded and did not demonstrate that the exclusion will not affect the outcomes and conclusions of the sound study. It should also be noted that July 3, 2018 was not a weekend day nor a state or federal holiday.

e) MassDEP previously commented that pursuant to 310 CMR 7.00 Air Pollution Control Section 7.10: U Noise, MassDEP regulates all sounds emanating from a solid waste facility operation, including waste delivery vehicles on-site and outside the building. MassDEP previously commented that the Proponent should revise their sound study to include waste delivery vehicles. The revised sound study presented in the FEIR did not appear to evaluate waste delivery vehicles as a sound source. During MassDEP permitting, the Proponent must demonstrate that the sound study evaluates the cumulative noise impacts from the proposed Project, including waste delivery vehicles on-site both inside and outside the building.

f) The revised sound study presented in the FEIR states that "operations from the Facility will not create any pure tones", however the Proponent did not provide any

data to justify their conclusion.

g) The revised sound study states “PPNE has proposed mitigation measures to minimize sound levels at residences to the extent practicable” and that “further controls were considered but not deemed either available or practicable.” The Proponent did not provide sufficient information for MassDEP to determine if the proposed facility is designed to mitigate noise to the maximum extent practical using a top-down approach. The Proponent did not identify the controls that were considered but deemed infeasible.

When proposing sound mitigation controls, similar to the traditional "top-down” BACT process, the "top case" sound mitigation controls which deliver the lowest sound level increase above background are required to be implemented, unless these measures can be eliminated based upon technological or economic infeasibility. An applicant cannot "model out” of the use of the "top case" sound controls and propose a less stringent sound control strategy by simply demonstrating that predicted sound levels at the property line will result in a sound level increase of less than or equal to the 10 dBA sound level increase criteria contained in the MassDEP Noise Policy. The 10 dBA noise policy is not a design standard - it is an enforcement standard, and it is not the sound level increase upon which the design of sound suppression/mitigation strategies and techniques should be based (DAQC Policy 90-001- https://www.mass.gov/doc/massdep-noise-policy/download).

h) Project related sound impacts should be evaluated both with and without mitigation to demonstrate the effectiveness of proposed sound mitigation controls.

i) All sound mitigation controls measures should be analyzed at a preliminary screening level to determine the feasibility of their implementation given the site constraints, if any, and whether the noise abatement provides a minimum reduction in noise levels. Impacts to wetlands, abutting landowners, stormwater, etc. should be considered. Safety factors should be considered including fire access and emergency vehicle needs. For the noise barrier to be technically feasible, it must be able to be constructed given the existing topography. The height of the noise barrier should be evaluated if it could sustain excessive wind loads. Maintenance of the noise barrier must be considered as well.

11. Traffic: In general, the Proponent has addressed MassDEP’s comments previously provided in Draft Environmental Impact Report regarding traffic, however, additional details will be required in MassDEP permit application submittals. Regarding traffic, the Proponent concluded “the traffic impacts of the proposed development of this solid waste facility located at 100 Duchaine Boulevard do not constitute a danger to the public health, safety, or the environment with consideration to traffic congestion, pedestrian and vehicular safety, and roadway configuration.” Based on a review of the FEIR, MassDEP finds that there is not sufficient information to verify this conclusion. MassDEP will require the Proponent to attend a pre-application meeting prior to submission of the BWP SW 01 application to discuss traffic, including but not limited to, the following:

- The Proponent conducted a traffic signal warrant analysis for the intersection of Braley Road at Phillips Road/Theodore Rice Blvd and concluded "the installation of a traffic signal at the intersection of Braley Road at Phillips Road/Theodore Rice Boulevard is warranted under 2020 Existing traffic volumes independent of the Project, as a result of existing development in the area."
- The traffic analysis indicates that the intersection of Route 140 SB at Braley Road is expected to degrade in level-of-service ("LOS") for some turning movements under the Build scenarios.
- The traffic analysis indicates that three intersections, Route 140 NB at Braley Road, Route 140 SB at Braley Road, and Braley Road at Phillips Road/Theodore Rice Blvd, operate at LOS F for some turning movements under the 2020 Existing scenario.
- Potential impacts to delay time and queue lengths at some study area intersections under the Build scenario.
- Potential impacts to volume-to-capacity (v/c) ratio for some study area intersections under the Build scenario.
- Modeling various distribution scenarios that may occur to compensate for uncertainties regarding the normal hourly fluctuation in waste deliveries.

The Proponent indicated that they are having ongoing discussions with the City of New Bedford regarding potential mitigation, but nothing has been finalized. In accordance with MassDOT's Transportation Impact Assessment Guidelines Project-related impacts must be mitigated to the extent feasible.

12. MassDEP has recently promulgated regulations pertaining to the presence of per- and poly-fluoroalkyl substances (PFAS). Other regulations are under development in all programs to minimize human and ecological exposure to PFAS. As part of the Solid Waste permitting process, the Proponent will be required to describe what, if any, pathways exist for discharges of PFAS into air, soil and water resources as a result of the biosolids drying process and as a result of any potential uses of the dried biosolids. The permits may require the reduction and monitoring of PFAS impacts to the environment.

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

Environmental Justice Comments

MassDEP's Environmental Justice (EJ) Program has reviewed the FEIR for the Parallel Products of New England Project and respectfully acknowledges PPNE's outreach to the EJ population. Yet the following issues, as presented in sections 3.0 Environmental Justice /Public Outreach and 3.1 Potential Public Health Impacts, remain unanswered for the Proponent's consideration and response:

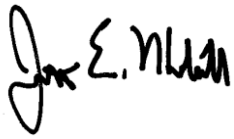
- Was air dispersion modeling ever discussed and explained to the EJ Stakeholders for a clear understanding of its technology and use for decision making? If not, please explain.
- The section of the report that discusses "minor significance of the facility on conditions that can lead to air quality alerts" appears to suggest that the PPNE's contribution to air pollution, climate change and air quality is not significant. Is this what PPNE intended? Please explain the basis of this statement.

- Are the residents of the affected EJ community privy to the information that has been logged into the complaints log? If so, please explain how this information will be made known and shared and ultimately understood by New Bedford's diverse lay EJ residents/community members?
- Are the residents expected to ask if any complaints have been filed or will the complaints be shared with the community? If so, how often?
- How will all the complaints in the complaints log be handled in addressing everyone's expectations for follow-up?
- Was consideration made by the Proponent to explain the technical/scientific details of the FEIR? If so, the Proponent should present its findings and recommendations through words that are commonly used and understood by New Bedford's diverse lay EJ residents and community members - not through the FEIR's acronyms or scientific terminology.
- Outreach conducted by the Proponent during the pandemic is reported to have been of low interest and attendance at virtual meetings, etc. The Proponent should understand that communities of color were hardest hit with the COVID and were dealing with the impact of the virus - including food insecurity, evictions, and high rates of infection. The low attendance may not solely reflect disinterest but from being overwhelmed with life-threatening issues and by not having the band-with to participate in a virtual community meeting. It very important for the Proponent to be aware and sensitive to these possibilities.
- Connecting with community leaders that the residents trust is helpful in order to obtain input and/or interest from the residents. Was outreach conducted to community leaders, EJ leaders and municipal officials? Again, COVID was and continues to be a priority for EJ populations and EJ organizations, therefore we need to be mindful and sensitive to this very important issue.
- The Proponent should demonstrate the continuing need to conduct outreach and community engagement throughout the project's duration for each to this area's diverse EJ community.

Other Comments/Guidance

The MassDEP Southeast Regional Office appreciates the opportunity to comment on this proposed Project. 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

ATTN: Millie Garcia-Serrano, Regional Director
David Johnston, Deputy Regional Director, BWR
Gerard Martin, Deputy Regional Director, BWSC

Seth Pickering, Deputy Regional Director, BAW
Jennifer Viveiros, Deputy Regional Director, ADMIN
Daniel Gilmore, Chief, Wetlands and Waterways, BWR
Deneen M. Simpson, Environmental Justice Director & Program Manager/Boston
Mark Dakers, Chief, Solid Waste, BAW
Elza Bystrom Solid Waste, BAW
Alison Cochrane, Solid Waste, BAW
Thomas Cushing, Chief, Air Quality Permitting, BAW
Allen Hemberger, Site Management, BWSC

From:	Tracy Wallace
To:	Strysky, Alexander (EEA)
Subject:	EEA No. 15990 - Comment Submission
Date:	Friday, March 26, 2021 12:35:28 PM
Attachments:	FEIR Comments.docx

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Alex - Strysky - EEA No. 15990
100 Cambridge Street, Suite 900
Boston, MA 02114

To Whom it May Concern,

Attached is my letter of comments regarding the FEIR filed by Parallel Products.

Sincerely,
Tracy L. Wallace M.Ed
75 Stephanie Place
New Bedford MA, 02745

The Final Environmental Impact Report does not address the concerns stated within the certificate of the Secretary of Energy and Environmental Affairs on the Draft Environmental Impact Report. The following details those short comings and further indicates that a supplemental environmental impact report be required of the company to address those concerns.

Within the Project description, the FEIR only indicates that the property is zoned industrial C. That statement is false as the property is zoned mixed business B and residential A as well as industrial C. As such, the report needs to state that. It has been the company's argument that the facility will not be using any of the property zoned mixed business or residential, however within Appendix 4 on page 331 it shows the road within the property going through the mixed business and residential portion of the facility. Utilization of the portion puts the company in violation of the 500 ft buffer zone. Figure 2.1 is out of date; it does not include the newly built homes on the same side of Philips Rd. Requirement of current up to date plots and maps need to be enforced in all sections of the final document.

Within the FEIR it is stated that "a Phase 1 Environmental Site Assessment and Limited Subsurface Investigation was conducted at the subject site…. As such SAGE is of the opinion that further actions are not warranted at this time." However, in analysis of the site by Weston & Sampson, who specialize in engineering and environmental services, it has been noted that "the latest data associated with the site petroleum release was collected during the 1990s. Based on the continued industrial nature of the site, use as a recycling facility, and duration of time (i.e. approximately 20 years) without a comprehensive subsurface investigation or collection of additional information, the possibility exists that additional undocumented releases of oil or hazardous materials have occurred at the site. This lack of current soil and groundwater information represents a data gap with respect to existing site conditions…. We would recommend assessment to establish a current baseline and evaluate emerging contaminants such as PFAs. The potential presence of PFAs may impact construction costs, future soil and groundwater management, as well as potential impacts to surrounding receptors."

Additional analysis related to PFAS was required within the certificate of the DEIR. The presence of PFAS in treated wastewater could pose a health risk. The FEIR, section 4.4 page 60 PFAS, presents no further analysis as requested in the certificate of the DEIR, only a statement that it will comply with regulations and consult the city during the design process. To date, there is no known mechanism to remove PFAS from contaminated wastewater. This is insufficient and presents a lack of knowledge and significant risk to the community. The company needs to provide an analysis of the current presence of PFAS in the type of biosolids they will produce and how they will mitigate those "forever chemicals" from getting into the city sewer system, as no municipal wastewater treatment plant is equipped to remove PFAS. The company plans to receive biosolids as a thickened wet slurry that will be dewatered in a centrifuge and that wastewater extracted in the dewatering process will be directed to the New Bedford sewer system at 52,000 gallons per day. In addition, biosolids will also be delivered in cake form and sent to a thermal dryer. The moisture captured will be condensed with the condensate water discharged to the city sewer system for an additional 30,000 gallons per day. This process shows the need for PFAS mitigation to be addressed as 82,000 gallons of discharge will be sent into the New Bedford sewer system. That is almost 30 million gallons a year.

While doing a better job than in the DEIR, the FEIR still does not fully comply with the SCOPE. The SCOPE states "supporting information should not be presented only in the appendices." Yet, in

several areas of the FEIR that is the case, still only referring to the corresponding appendix, as well as some sections referring to appendices in the DEIR.

Regarding traffic, within the certificate of the DEIR, it was stated that the FEIR provide a revised analysis to support the method of calculating truck trip generalities, clarify aspects of each phase and review potential mitigation measures. Queue lengths were indicated, showing a back up onto route 140, posing a danger with nothing to address this. While the FEIR does go into further detail regarding the projects contribution to lengthened queues at ramps of 140, it does not address mitigation. The FEIR also states that "there are no planned roadway improvements that would impact traffic on the study area roadways." With a potential of 418 truck trips per day, deterioration of the surrounding roadway will occur and maintenance will be required. How will this potentially impact traffic to the surrounding areas? The traffic table indicate several intersections rating F, therefore whether the study indicates the increase in traffic will be significant or not, any increase to a dangerous F rated intersection poses a threat to the surrounding area. No mitigation measures are addressed to improve the F rated intersections. The FEIR states that "PPNE is having ongoing discussions with the City of New Bedford which includes discussions on potential mitigations, which has not been finalized." The FEIR includes a Traffic Signal Warrant Analysis with a conclusion stating that "According to the warrant analysis results, the intersection of Braley Road at Philips Road/Theodore Rice Boulevard warrants the installation of a traffic signal under all three Warrants based on the 2020 existing traffic volumes, independent of the project." Yet, no mitigation measures are offered by the company, implying it is the City's problem currently and that it be handled as such.

What are these discussions on potential mitigations they are having with the city? A supplemental EIR must include elaboration and explanation regarding these potential mitigation measure, as that was what was required in the certificate of the DEIR and not provided in the FEIR. The project also intends to run 7 days a week with deliveries on all 7 days. The table included in section 5.0 only addresses weekday counts, week day AM peak hour, and week day PM peak hour. What are those counts for weekend? What will the weekend impacts be? A complete breakdown of weekend truck trips should be required in a supplemental EIR. The certificate of the DEIR stated that the FEIR "should include revised mobile-source estimate as necessary if estimate of truck trips increase." The company does not address a possible increase, yet only states that it will not go over 418 truck trips per day. That is impossible to guarantee and the company should be required to address an estimate of truck trip increases. Further explanation of how an increase of 418 truck trips on roads that operate over capacity and with high delays under current conditions would only result in minor increases with no clear mitigation measure proposed should be addressed. 418 truck trips per day is 152,570 truck trips per year.

The traffic analysis is broken down by Phase 1 and Phase 2, it is not clear if the numbers reflect an inclusion of truck traffic from the company's current operations. In February of 2020, the company relocated its operations from their Shawmut Ave location, which include the receiving and processing of aluminum, cardboard and other mixed waste recyclables. Phase 1 is defined as glass recycling and not inclusive of the company's current operations. Does the data include additional truck generation from those operations? A supplemental EIR needs to be submitted for clarification.

The MSW processing section of the FEIR states that the facility is not a "dirty MRF" yet when questioned at the company's open house, the vice president of PPNE did confirm that the facility is a

"dirty MRF" and would be operating as such. However, their practices would guarantee 20% recyclable materials from their MSW processing. The FEIR indicates that this 20% will be sold to recycling markets. What are those markets? Does the company have contracts in place? The reality is there are no markets. It is cheaper and more cost effective for companies to produce new product than to repurpose materials that have already broken down and are likely to break down further. That fact that there are no markets is evident by the collapse of Coastal Resources of Maine, which opened a "dirty MRF" in Hampden in August 2019 and less than a year later it had closed. Diagrams and specifics of BHS equipment is included within appendix 5, yet there is no explanation of how this will yield them a 20% return, nor an explanation of how this is more efficient than current technology being used.

The certificate of the DEIR stated the FEIR is required to provide a revised noise analysis. Within the FEIR they provide an update to the noise analysis and state "for descriptions of the other locations that are not a part of the FEIR analysis, refer to the DEIR Noise Section." A full revision of the noise analysis should be provided. This is insufficient and incomplete. The noise analysis was conducted between June 26th and July 3rd 2018, a course of one week over the summer and inclusive of a holiday. This is not representative of a normal week where peak activity would be occurring. It is also two years out of date and prior to the movement of their current operations from Shawmut Ave. Figure 6.3 only indicates two continuous measurement locations, one completely opposite of any residential area, and the other on the border of the property and the two residential houses PPNE bought. Figure 6.3 also only indicate two short-term measurement locations. No sound monitoring was done within the neighborhood directly across the street from the facility. Sound travels and effects could be reached further outside their locus of measurement. A comprehensive new analysis of overall noise levels must be required for an accurate depiction to be addressed and continuous measurement needs to be analyzed within local neighborhoods. This fails to meet a requirement of revised noise analysis. The project has been consistently criticized for inconsistencies in description of project components and operations. "As the design of the project equipment progresses, specifications of mechanical equipment may change", is a perfect example of this and therefore illustrates the need for an updated overall noise assessment.

Within the FEIR, it states there are no local quantitative noise regulations applicable to this project. However, there is a city noise ordinance that addresses noises at commercial establishments. It states "all noises at commercial establishments located in principally residential neighborhoods that menace the health, interrupt or disturb sleep of residents between the hours of 10:00pm and 7:00am are hereby prohibited; and, without limiting the generality of the foregoing, it is hereby intended that 'noises.' as used in this section, shall include the loading or unloading of motor vehicles, those sounds emitted by all types of mechanical devices, including motor vehicles, and those by animals and birds." Figure 6.1 and 6.3 shows the close proximity to the residential neighborhoods. The company also intents to operate 24 hours a day 7 days a week, and the city ordinance would prohibit those intended operations between 10pm and 7am.

Regarding odor, it is documented multiple times within the FEIR that C&D waste produces hydrogen sulfide, the rotten egg smell. The company's response to this is that this waste will only there for a limited amount of time. Therefore, not addressing the issue that it will still be there and that smells linger. Methane production is not fully addressed, since it is unclear as to what mechanism will be used during the thermal drying (heat drying) process of the biosolids brought onto the property,

there is no way to know what is being done with the methane produced from that process or any other production of possible syngas. Further review is required.

The company calls this project its “green energy project” and its “sustainability project”, yet is requesting a waiver of building code for its glass processing building, via not having to install r-11 insulation for that building, a direct violation of building code compliance. PPNE is justifying that waiver and noncompliance by stating the emissions savings is minimal. Yet wouldn’t any decrease in emissions be advantageous especially if it were green energy and sustainable? The company states that the buildings are less than 100,000 square feet and therefore not subject to the Stretch Energy Code. For new buildings between 5,001 and 99,999 square feet there is an option to follow a prescriptive base code, however it is unclear to whether that option is available to the builder or the municipality. The option to follow base code does not mean they are not subject to follow stretch code, clarification needs to be submitted as to whether the city needs to allow them that option. The City of New Bedford has adopted that appendix to the Massachusetts Building Code, therefore the company should address this especially if it is a green energy center. Compliance with the stretch energy code provides energy efficiency and long term savings in energy costs that will offset initial compliance costs.

The way the FEIR is addressing Greenhouse Gases is not sufficient. It does not sufficiently address the methane gas issues the technology proposed would generate. The facility will have 19 stacks all emitting substances. The facility is located at a level below that of the residences, creating a bowl effect, those stacks will not lift over the residential neighborhoods. This should be addressed in a supplemental EIR.

Additionally, idling locomotives, deliveries of live load trucks and the installation of impervious concrete floors all need to be explained. Several locomotives will be loaded and moved throughout the facility what emissions will that create? Trucks take two hours to live load drop, are these trucks idling while they deliver their live loads? Trucks will be taking the processed biosolids to the MSW building for loading onto rail cars, how is that factored into GHG emissions? Diesel trucks moving throughout the property will have an effect on GHG emissions, as well as pose a threat to the surrounding community. Employees of the business park will now be subjected to breathing in the emissions from 418 truck trips, while commuting or working in the area. With respect to impervious concrete, concrete is inherently porous, although a sealer can be added to the concrete surface to prevent water penetration. PPNE must fully address how their concrete within their buildings will be “impervious”, what sealant will be used, how that could affect toxicity during installation, if impervious how run off will be handled and processed? Will that be directed to the city sewer system and what would those affects be?

Within the FEIR the project indicates that it will use a thermal drying system utilizing natural gas for its biosolids processing. The FEIR fails to indicate what type of drying system this will be. A thermal dryer is in fact a heat drying system. The diagrams fail to indicate if the heat drying systems will be direct or indirect or a form of both. There is mention of a belt drying system and the assumption that the dryer manufacturer will be Gryphon Model 1060U. Belt dryers usually refer to direct drying, however Gryphon models use stream which is an indirect heat drying model. Heat drying facilities propose a host of issues. They require a substantial capital investment. They require a large amount of energy making them less energy efficient per pound of final material than other beneficial reuse methods. They generate a significant amount of dust that can affect neighbors in local communities, primarily affecting lung function. This dust generation creates an explosive hazard. Dryer installations

have experienced fires, deflagrations, and explosions. These systems are relatively complex and require skilled labor of operation and maintenance. These systems produce odors that negatively affect communities and it has been documented that odor was the single most detrimental impact of thermal drying plants. The end product also has properties of offensive odor. The age of the biosolids should be address as well as more information regarding storage, as noted previously the final product contains offensive odors. Further assessment and analysis of the full process needs to be addressed. It is also important to acknowledge that the city of New Bedford has been decommissioning fire trucks due to budget constraints, and the city would be unable to address or handle any potential fire hazard that may arise from this operation. PPNE must document how the city of New Bedford could handle or address potential fires or explosions on their site, as their operations are highly flammable and explosive.

Climate change is a national and global threat, and this facility will release VOCs and PM 10 into the atmosphere. VOCs are Volatile Organic Compounds which are dangerous to human health and cause harm to the environment. They are known to have long-term chronic health effects, which include eye, nose, and throat irritation; headaches, loss of coordination, nausea; and damage to the liver, kidney, and central nervous system. PM 10 are particles with a diameter of 10 micrometers, this can be a complex mixture of soot, smoke, metals, nitrates, sulphates, dust, water, rubber, etc…. These particles are so small that they effectively act as a gas and exposure to them can result in a number of health impacts ranging from coughing and wheezing to asthma attacks and bronchitis to high blood pressure, heart attack, stokes and premature death. It can also have a huge impact on forests, wildlife and coastal regions. It's common to find large patches of dying trees in forests affected by PM. The groundwater becomes too acidic, and vital nutrients are leached out of the soil, which prevents the trees from growing. Again, if this is a "green energy center" and a "sustainable project" the facility would not be generating any such thing. The methodology of recording and tracking "monthly mass rates of air emissions for the preceding month, by the 15th of each month, by populating a 12 month rolling tracking Excel workbook with the operational activity rates (tons per month of glass processed, MSW tipped and processed, and biosolids processed)" is impractical. No company would document any values with cause for concern on itself, data reported has the potential to be unreliable. This also does not address current operations going on at the facility (those that involve aluminum and other recycling processes that were relocated from the Shawmut Ave location in February 2020) and the impact the total operation could have on VOCs and PM 10. The fact that the company even had to prepare a complaint system to the extent the surrounding neighborhood could log the nuisance of odor, noise, and dust is proof that this project will have a detrimental effect on the surrounding community. If it were to have no significant effect on that community, there would be no need for a complaint logging system.

Best Management Practices is used throughout the document and in essence means "we don't know" and "haven't figured that out yet" therefore, insufficient for FEIR analysis and review. The fact a partial list of "Best Management Practices" with a few examples is confirmation of that. Full lists and documentation of "best management practices" should be required. Sensitive receptors is another word used throughout the document, and in reality the term means "acceptable collateral damage" or the "human beings that will be effected". The fact that the term is included in the document at all indicates that human beings will be negatively impacted. The people and communities of New Bedford and surrounding towns are being held responsible for a state and regional problem. They are being asked to shoulder the state's waste issues, which is irresponsible and unjust. These communities have

been historically overburdened and are now being burdened further. Across the state currently, environmental justice communities are being further exploited. There are better alternatives for the population of Massachusetts to pursue that will not include the further exploitation of these communities as this project does.

March 26, 2021

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
EEA No.15990
100 Cambridge Street Suite 900
Boston, MA 02114

Dear Secretary Theoharides,

I am writing this letter to follow-up on a previous letter I submitted for the FEIR public comment period of EEA No. 15990, Parallel Product of New England's (PPNE) biosolids processing facility proposed for New Bedford. In my previous letter I expressed very specific concerns about elements of the project that I feel deem it too risky and dangerous to be sited in a location so close to residential neighborhoods. In this letter I would like to delve a little more deeply into the greatest reason overall that it should not be approved: the continued pattern of targeting and exploiting Environmental Justice Communities in the pursuit of corporate profits.

In Massachusetts a community is identified as an Environmental Justice community if any of the following are true:

- Block group whose annual median household income is equal to or less than 65 percent of the statewide median ($62,072 in 2010); or
- 25% or more of the residents identify as a race other than white; or
- 25% or more of households have no one over the age of 14 who speaks English only or very well - English Isolation

This definition can be found on the state government's website, at: https://www.mass.gov/info-details/environmental-justice-communities-in-massachusetts
An interactive map is also available, which clearly outlines the area in and surrounding the proposed site as an environmental justice community, based upon the criteria that 25% or more of the residents identify as a race other than white: http://maps.massgis.state.ma.us/map_ol/ej.php

The construction and operation of a facility of this nature is inherently risky and raises numerous deep concerns. I will go into more detail about the issues that cause the highest alarm for me below, but the laundry list of concerns surrounding this project include but are not limited to: noxious odors, vermin and pest infestations, noise pollution, air pollution, additional traffic congestion and hazardous conditions, the possibility of increased taxes due to the burden of repairing and maintaining the roads, decreased property values, threats to protected wetlands and conservation lands and many endangered species indigenous to this area, not to mention a multitude of environmental degradation issues.

Everything about this project deeply concerns me, but the elements that raise the most alarm include but are not limited to:

Additional truck traffic
The reported addition of 400+ truck trips per day (a number which seems to vary between project documents) on these already congested, unmaintained and unrepaired local roads significantly raises the risk of accidents, which in turn, increases the risk of property damage, bodily injury and even death for the citizens living and traveling in the area. This is especially worrisome for children who attend the elementary school less than a mile away, located on Braley Road. The neighborhoods though which they'll travel will also be exposed to the pollution caused by diesel vehicles.

Air quality
Construction of this facility would entail the excavation of a site that is contaminated (and not remediated) by the previous occupant, Polariod. This will undoubtedly stir, kick up and circulate toxics from the contaminated soil, exposing people to dangerous chemicals, all of which will cause health issues for citizens living and working nearby and children attending the local elementary school.

Despite claims to the contrary, operation of this facility would produce toxic air pollution, released through the multiple (19) smokestacks featured in the project renderings. There are more than 80,000 chemicals in the USA, most of which are never tested for health impacts. Recently, a national movement has pointed out a new chemical that should be banned, like asbestos and PCBS- its called PFAS. **PFAS is incredibly toxic to human health.** Per - and poly fluoroalkyl substances (PFAS) are a category of chemicals containing multiple fluorine atoms that bond to a chain of carbon atoms. There are thousands of these chemicals used in business and in the consumer market. Most easily able to bioaccumulate in air-breathing organisms, PFAS are absorbed by plants, animals and people. Chemical manufacturers like DuPont and 3M have covered up evidence of the negative human and environmental impacts of PFAS since the 1960s. But mounting research links PFAS to a wide range of health problems. **Studies of the best-known PFAS, called PFOA and PFOS, show links to kidney cancer and testicular cancer, as well as human endocrine disruption targeting the liver and thyroid.** Other health reports associated w/ PFAS chemicals include metabolic & developmental effects, neurotoxicity and immunotoxicity. This facility would release PFAS into the air of New Bedford, and be carried as far and wide as the wind can travel, impacting all of New Bedford and the surrounding communities.

Water quality
As I understand it, as part of the daily business operations, this facility will produce wastewater that will be discharged into the City of New Bedford's sewage system, which already has problems with overflow during certain times of year and weather. This places the local water ways and resources at risk.

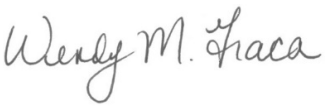
Public relations
During previous public information sessions, PPNE representatives were asked questions by the community about this project, including whether or not they had an emergency evacuation plan. When asked this question, the representative for Parallel said that they did not have an emergency evacuation plan in place. The company was also asked what "cutting edge" technology will they be utilizing to remove the toxins from their byproduct, but they had no answer for that question. These public forums included experts from other companies, as well as the MEPA office. The fact that satisfactory answers could not be given to these questions from ANYONE on the panel is quite troublesome.

I think it is important to learn from the experience (and mistakes) of others. To that end, I have done some research on these types of facilities, to learn more about how they operate and their impact on communities. Ironically, most of the similar facilities that exist in the US are not located near residential areas, which makes it hard to find out exactly WHAT kind of direct impact they could have. I have also found that these facilities are not only risky to human health and the environment, but to the local economy as well. A similar plant which was proposed for Stanford, CT, was ultimately not operational, and instead cost the taxpayers millions of dollars:
https://ctmirror.org/2013/02/05/stamfords-failed-attempt-energy-innovation-cost-taxpayers-tens-millions/
In learning more about that project, I also found that the claim to turn wastewater into energy without carbon emissions is a false endeavor. "In fact, the drier by itself produces significant emissions."

Because so much is NOT known about long-term effects of these kinds of business operations on a residential community OR the environment, I think it is the responsibility and obligation of any agency of authority, when considering approval of such a business, to exercise the precautionary principle: "the principle that the introduction of a new product or process whose ultimate effects are disputed or unknown should be resisted". If you cannot guarantee protection of the health and safety of the local residents, or their homes and property, the accountability rests on YOU to not allow them to be put in harm's way to begin with.

The existing facility PPNE owns and operates at that location is already causing disruption to the quality of life for residents in the area, in the forms of noise and light pollution, and additional truck traffic to already highly traveled roads. This renders no cause to believe or hope that things will get any better if they are allowed to expand, only worry and stress about what's to come. The citizens of this community deserve better. I believe that the proponent of this project needs to provide more substantial information, proving how they will not mitigate, but rather, PREVENT the construction and 24/7 operation of this facility from having a negative impact on the community. I call upon you, as an agent tasked with protecting the public, to require PPNE to provide a supplemental report and review subsequent to their FEIR.

Sincerely,



Wendy M. Graca, President
South Coast Neighbors United
(508) 254-6333

From:	Zeb Arruda
To:	Strysky, Alexander (EEA)
Subject:	EEA #15990
Date:	Friday, March 26, 2021 8:46:47 AM

Good morning Mr. Strysky,

My name is Zeb Arruda. I live on 103 Longview Rd, New Bedford, MA 02745.

There is a company that is attempting to build one of their facilities in our Business Park in New Bedford. We have worked so hard as a community to create a beautiful and inviting Business Park that has attracted world class businesses. More importantly, a Business Park that worked with its neighborhoods and abutting residents in the past.

Over the past couple of years companies have been allowed to work out of the Business Park with their construction division. Crapo Hill truck traffic has never been addressed for nearly 20 years.....And now we are entertaining the idea of allowing yet another company that will be utilizing large trucks. This new company may also end up running for 24 hours a day all week long. None of them stay on Rte 140 to use the Braley rd. exit, but instead use the Phillips Rd. exit. They certainly Can't police themselves. Traffic backs up into the highway every morning at both of the exits.

I am not sure how we have gotten to this point. I live exactly 1/4 mile from this project. The sound and smell travels beautifully in Pine Hill Acres. The sound of their trucks can be heard clearly from our homes. I can only imagine how our lives will change trying to enjoy our lives doing the simplest of things like grilling in our backyards.

Phillips Rd. can not take any more traffic. We have children that wait at bus stops along that route. The only playground in the far north end is located in that stretch of road. Our children would not dare cross that road to get a drink at a local gas station because of the volume and size of vehicles that use it. There are no curbs to protect our children on the sidewalks or any type of safe bike lanes.

The city has a Wastewater Treatment Plant that does not allow truck trucks before 7:00 am nor after 7:00 pm. Why are we being treated differently in our neighborhood?

I know that these facilities are being pushed and we need them going forward. But Please consider the location and the harm it will be creating to so many of our citizens when they are being placed in peoples backyards.

Your understanding is so much appreciated when making your decision.

Respectfully,

Zeb Arruda

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
Telephone: 617-626-7300
Facsimile: 617-727-0030

Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Kathleen A. Theoharides
Secretary

Patrick C. Woodcock
Commissioner

2 April 2021

Kathleen Theoharides, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02114
Attn: MEPA Unit

RE: Parallel Products of New England, New Bedford, EEA #15990

Cc: Maggie McCarey, Director of Energy Efficiency, Department of Energy Resources
Patrick Woodcock, Commissioner, Department of Energy Resources

Dear Secretary Theoharides:

We've reviewed the Final Environmental Impact Report (FEIR) for the above project. The proposed project includes a 50,820-sf, conditioned glass processing building, a 41,000-sf, space-conditioned biosolids processing building, and an unconditioned 87,000-sf municipal solid waste facility. A small amount of office space is planned, to be located inside one or more of these buildings.

It is unclear in the submission the status of the glass processing building. In some places in the submission, it appears to suggest that this building is partially built (27,320-sf out of the 50,820-sf). In other places in the submission, it appears that this building is fully built.

Mitigation Level

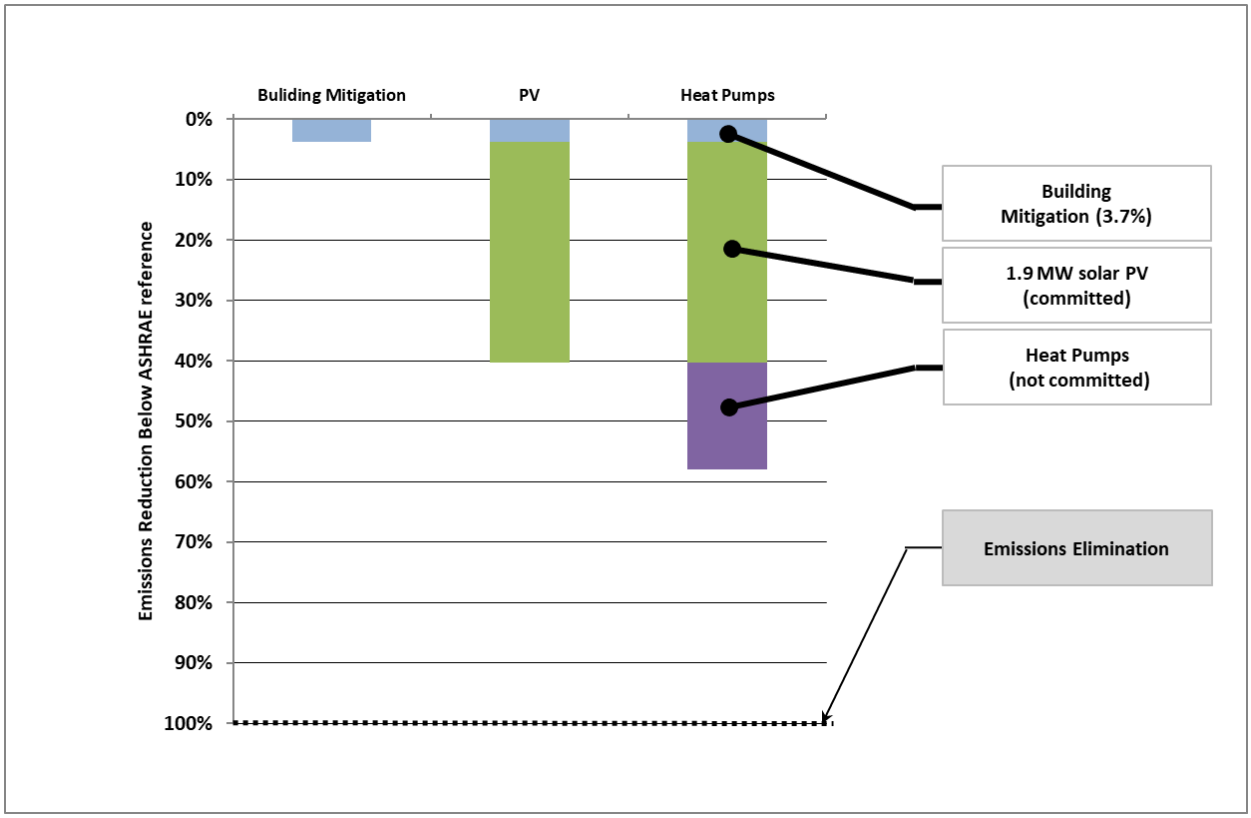
The overall project Mitigation Level[1] (ML) is 40%, however the buildings themselves have a ML of less than 3.7%. This value is described as "less than" because the project is using an incorrect baseline (more below). If this baseline were to be corrected, building ML could reduce to 0%.

[1] Mitigation Level is the percent GHG reduction beyond the reduction that would occur as a result of following state and local building codes. A Mitigation Level of 0% means that no mitigation is proposed. To estimate ML we have removed biosolids process loads.

Building mitigation is largely limited to a modest reduction in the lighting power density.

Addition of heat pumps for space heating could improve building ML to 21% and overall project (including committed 1.9 MW of new solar) to almost 60%.

ML could also improve with addition of ventilation energy recovery which was unevaluated.



Code Issues

We observed two significant code issues:

- The code requires three efficiency measures be included in the project (out of a list of 10 choices), per section C406 of the code. The project is using only two. Accordingly, one more C406 measure is required for all buildings yet to be constructed, just to meet Code. Because the baseline is based on two, rather than three, C406 measures, the reported ML is overstated.

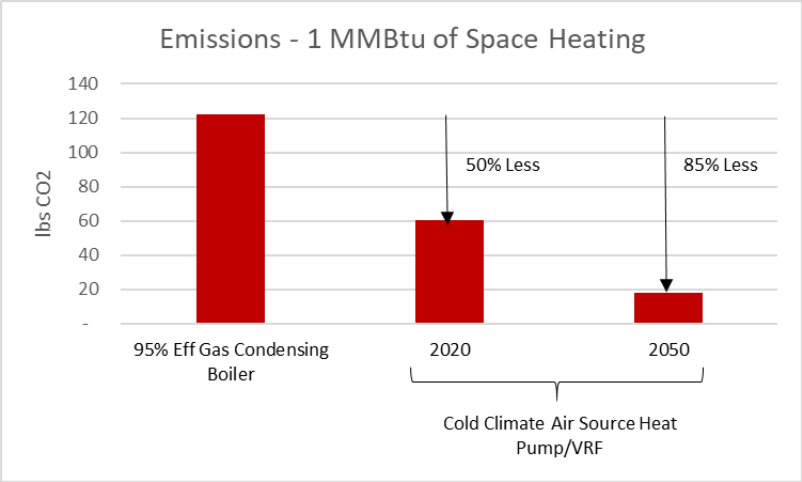
- The (partially or fully) built glass processing facility is missing a code-required rooftop liner insulation system for this metal building. The submission contains a request to "be allowed to forgo this design element". This liner system is required by code. This liner system should be installed in all portions of this building to be constructed (if any) and should also be installed in all built portions of this facility, as well.

Efficient Electrification – Space Heating

Efficient electrification of space heating entails the swapping of fossil fuels (natural gas, oil, and propane), or electric resistance systems, with cold-climate rated air source heat pumps or ground source heat pumps.

Electrification of space is a key mitigation strategy with significant short- and long-term implications on GHG emissions. Massachusetts grid emissions rates continue to decline with the implementation of clean energy policies that increase renewable electricity sources. The implication is that efficient electric space heating with cold climate air source heat pump (or ground source heat pump) has lower emissions than other fossil-fuel based heating options, including best-in-class (95% efficient) condensing natural gas equipment.

Currently, efficient electric heating has approximately **50% lower emissions** in Massachusetts than condensing natural gas heating. By 2050, and possibly sooner, efficient electric heating is expected to have approximately **85% lower emissions** in Massachusetts than condensing natural gas heating. See illustration below.



The project is proposing to utilize significant natural gas, committing this project to a high-emissions methods of space heating. Using gas and electric prices cited in the submission, estimating gas and electric operating costs exceed $3.7M/year (counting process loads). Swapping from currently planned gas space heating to electric heat pump space heating would increase operating costs by less than 1% while improving ML by almost x6.

Heat pumps can also be used for air conditioning, which can provide significant benefits to workers inside the buildings. (Currently, no air conditioning is proposed.)

The submission asserts that heat pumps and not available above 20 tons capacity, and thus a large number (17) would be required to meet the 333 ton ventilation load. This is not correct. Heat pumps twice as large (40 to 50 tons) are available. Based on this, the submission appears to be overestimating the number of units by a factor of about 2. DOER has reviewed numerous building

projects with larger ventilation loads which also use heat pumps. (These projects also maintain space heating at 72F. These buildings are planned to only maintain space heating to mid-50's F.)

Heat pumps can also be readily installed in the office space (currently proposed to be gas heated). Heat pump hot water heating can also be used for hot water service, as well.

Ventilation Energy Recovery

Ventilation energy recovery was unevaluated and could provide significant emissions reduction given the ventilation loads described in the submission.

Lighting Power Density Reduction

One of the chosen C406 measures was a 10% reduction in lighting power density (LPD). Accordingly, to meet code, lighting power density must be reduced by this amount. The project included this reduction in its Baseline model, correctly capturing this code minimum requirement.

As a mitigation measure, the project is proposing to increase LPD reduction from code-required 10% to 20%.

Solar PV

The project is also proposing to install 1.9 MW of new solar PV. This sized solar system would provide significant mitigation. We estimate that a 1.9 MW system would provide about 2,300 MWhrs per year and would offset about 745 tons of emissions.

Note that the facility currently has 1.6 MW of solar PV on site. Accordingly, total on site solar PV would be 3.5 MW.

It is also important to note that the building Code does not allow a "credit" to offset building code deficiencies. Accordingly, the code issues identified above need to be addressed despite the installation of this PV.

Summary of Findings

Code Issues

Two code issue require resolution:

- The buildings to be built require a third section C406 efficiency measure.
- For glass processing building:
    - The completed portion of this building is non-compliant and the code-required metal roof liner insulation system must be installed to bring this building into compliance.
    - The roof liner insulation system should also be installed on any portion of this building to be completed.

FEIR Mitigation Commitments

Project commitments are as follows:

- Installation of 1.9 MW of new solar PV, bringing total site solar PV to 3.5 MW of solar PV.
- Lighting power densities as follows:
    - Glass handling building: 0.69 watts/sf
    - Biosolids building: 0.98 watts/sf
    - Municipal solid waste building: 0.98 watts/sf

Recommended Additional Mitigation Measures

Recommended additional mitigation measures include:

- Electric heat pump for space heating, including office spaces.
- Electric heat pump hot water heating

- Ventilation energy recovery would likely provide significant cost and emissions benefits. This measure was unevaluated. We would recommend evaluation and likely implementation.

Sincerely,

Paul F. Ormond, P.E.
Energy Efficiency Engineer
Massachusetts Department of Energy Resources

Brendan Place
Clean Energy Engineer
Massachusetts Department of Energy Resources