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May 10, 2019

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

PROJECT NAME	: Mt. Tom Plant Decommissioning and Solid Waste Management Project
PROJECT MUNICIPALITY	: Holyoke
PROJECT WATERSHED	: Connecticut River
EEA NUMBER	: 16007
PROJECT PROPONENT	: Mt. Tom Generating Company, LLC
DATE NOTICED IN MONITOR	: April 10, 2019

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

Project Description

As described in the Environmental Notification Form (ENF), the project consists of the decommissioning of the Mt. Tom Power Plant, demolition of structures and remediation and restoration of the site. The project includes the following components:

- Demolition and removal of the smoke stack and remaining structures associated with the power plant, the above-grade components of the industrial wastewater treatment plant (WWTP) and above-grade portions and ancillary structures associated with the coal storage conveyor system;
- Removal of cooling water intake and return pipes and associated headwalls and sheetpiling, wastewater outfalls and a fire dock from the Connecticut River, abandonment of landward portions of these structures and capping and abandonment of outfalls no longer in use;

- Remediation and capping of contaminated soils associated with the power plant and a former plant landfill, including excavation and/or capping of soils impacted by metals, petroleum, vanadium and coal ash;
- Restoration of a 125-foot long section of the failing bank along Kennedy Brook and removal of a pipe bridge across the brook; and,
- Site restoration, including the power plant site, the Bank and Riverfront Area associated with the Connecticut River and mitigation for impacts to rare species habitat.

The project is being undertaken pursuant to an Administrative Consent Order (ACO) entered into by the Massachusetts Department of Environmental Protection (MassDEP) and the Proponent on April 11, 2018. The ACO is intended to facilitate a coordinated and comprehensive plan for decommissioning and remediation of the site under MassDEP's oversight. Through the ACO, MassDEP will require the Proponent to conduct site activities in accordance applicable standards for waste site cleanup, decommissioning of wastewater treatment facilities, solid waste, wetlands and water quality. The ACO requires the Proponent to file reports and plans for MassDEP review and approval and complete all activities within five years of its effective date.

Project Site

The 130-acre project site is comprised of three parcels located in northern Holyoke, just south of the Easthampton town line. It is bordered to the north and east by the Connecticut River, to the south by undeveloped land, recreational uses and a residential neighborhood and to the west by active railroad tracks and Route 5. Interstate-91 (I-91) and the Department of Conservation and Recreation's (DCR) Mount Tom State Reservation are located west of Route 5. Eversource owns a substation in the northern part of the site and electric transmission lines that run parallel to the river within a 200-ft wide easement along the east side of the site. The transmission lines cross the Connecticut River near the middle of the site.

The power plant occupied the northern part of the site. It began operating in 1960 as a coal-fired generating facility, but the fuel source was converted to oil in 1970 and back to coal in 1981. In addition to the power plant structures, the site included a coal storage area and conveyor system, the WTP and three wastewater and coal ash settling basins. Two solid waste landfills are located on the site, including a plant dump in the northeastern part of the site and a municipal landfill located south of the Eversource substation. The power plant, except for the stack, has been demolished. The southern section of the site was in agricultural use until a 4.5-megawatt (MW) solar photovoltaic (PV) generating facility with battery storage was constructed in 2016. Kennedy Brook crosses the site from west to east between the settling basins associated with the WTP and the PV facility. It is crossed by a utility bridge supporting a pipe that carried coal ash for disposal south of the brook.

The northern part of the site includes wetland resource areas associated with the Connecticut River, three intermittent streams and manmade drainage structures. The resource areas include Land Under Water (LUW), Bank, Bordering Vegetated Wetlands (BVW) and Riverfront Area. Two areas of Isolated Vegetated Wetlands (IVW) are also located in the northern part of the site. Bank, LUW and Riverfront Area are associated with Kennedy Brook. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate

Maps (FIRM) (numbers 25013C0086E and 25013C0088E, effective July 16, 2013), most of the site is within the 100-year floodplain with a Base Flood Elevation (BFE) of 121 to 122 feet North American Vertical Datum of 1988 (NAVD 88).

The Connecticut River and portions of the site adjacent to the river are located within Priority Habitat and Estimated Habitat of rare species as mapped in the 14th Edition of the *Natural Heritage Atlas*. According to the Natural Heritage and Endangered Species Program (NHESP), the site contains habitat that supports seven state-listed rare species, including Shortnose Sturgeon (*Acipenser brevirostrum*), Yellow Lampmussel (*Lampsilis cariosa*), Midland Clubtail (*Gomphus fraternus*) and Riverine Clubtail (*Stylurus amnicola*), which are listed as Endangered; Bald Eagle (*Haliaeetus leucocephalus*) and Skillet Clubtail (*Gomphus ventricosus*), listed as Threatened; and Eastern Pondmussel (*Ligumia nasuta*), listed as Special Concern.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include alteration of 15.3 acres of land, 460 linear feet (lf) of bank, 22,750 sf (0.52 acres) of LUW, 186,750 sf (4.3 acres) of Bordering Land Subject to Flooding (BLSF), 193,950 sf (4.45 acres) of Riverfront Area and 190 sf of IVW. The project includes dredging approximately 120 cubic yards (cy) of sediment from Kennedy Brook. It will impact rare species habitat, resulting in a Take of the Eastern Pondmussel and Yellow Lampmussel.

The purpose of the project is to remediate and restore the site to minimize the risk to human health and the environment from contaminated material. Mitigation measures include restoration of impacted wetland resource areas, scheduling construction activities with regard to species-specific time of year (TOY) restrictions, providing a Net Benefit to impacted rare species by protecting and/or restoring habitat or funding conservation research, implementing construction-period Best Management Practices to minimize impacts to water quality and managing and disposing of contaminated material to minimize exposure to the environment.

Permitting and Jurisdiction

The project is undergoing MEPA review and requires preparation of an ENF pursuant to 301 CMR 11.03(2)(b)(2) and (3)(b)(1)(f) because it requires Agency Actions and will include greater than two acres of disturbance of designated priority habitat, as defined at 321 CMR 10.02, that results in a take of a state-listed endangered or threatened species or species of special concern, and alteration of ½ or more acres of any other wetlands. The project requires a Conservation and Management Permit (CMP) from NHESP. Through its oversight of the project in accordance with the ACO, MassDEP will evaluate the project's consistency with the regulatory requirements for Waterways (310 CMR 9.00), Surface Water Quality Standards (314 CMR 4.00), 401 Water Quality Certification (314 CMR 9.00), Wastewater Treatment Plants (314 CMR 7.00), Air Pollution (310 CMR 7.00), Solid Waste (310 CMR 19.00) and the Massachusetts Contingency Plan (MCP; 310 CMR 40.00).

The project will require an Order of Conditions from the Holyoke Conservation Commission (or, on appeal only, a Superseding Order of Conditions from MassDEP). It requires authorization from the U.S. Army Corps of Engineers (ACOE) under the General Permits for

Massachusetts and a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the Environmental Protection Agency (EPA).

Because the Proponent is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required State Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to land alteration, wetlands, water quality, rare species, wastewater, and hazardous materials.

Review of the ENF

The ENF provided a description of the project and preliminary project plans, and an analysis of alternatives. It identified measures to avoid, minimize and mitigate environmental impacts. The ENF reviewed the requirements of the ACO related to remediation of contaminated areas, decommissioning of the power plant and WTP, removal of structures in the Connecticut River and closure of solid waste landfills. It summarized the results of investigations of on-site soil, groundwater, sediment and surface water conditions. In accordance with the MCP and ACO, the remediation of hazardous materials is being conducted in areas of identified risk to human health and the environment; these areas include the former plant landfill (Area A), parts of the site with petroleum-impacted (Area B) and vanadium-impacted (Area C) soils and the banks of Kennedy Brook (Area D). The Proponent has submitted a Phase III Remedial Action Plan (RAP) to MassDEP that evaluates alternatives for achieving a condition of No Significant Risk to human and environmental receptors. According to MassDEP, the Proponent is conducting additional site assessment activities that may identify additional areas where remedial activities may be required and evaluated in a revised RAP.

Alternatives Analysis

The ENF analyzed three general alternatives for remediating the areas of identified risk (Areas A, B, C and D). The three alternatives were evaluated on the basis of criteria established by the MCP, including effectiveness, short- and long-term reliability, feasibility, costs, risks and benefits.

Alternative 1 would include full excavation and off-site disposal of all impacted soils, including those comprising the banks of Kennedy Brook. It would support unrestricted use of the site in the future. Removing all of the ash from the site would disturb approximately 54 acres of forest that has become established in the ash deposition areas, including excavation of up to 33 feet of material. Alternative 2 would involve the construction of a 2-ft thick cap covering the 54-acre area of contaminated soils and the two landfills. Areas within the floodplain would be excavated first so that the cap fill material could be applied while maintaining flood storage capacity of the site. The banks of Kennedy Brook would be cut back and stabilized. Future use of the site would be restricted by an Activity and Use Limitation (AUL) placed on the deed.

The Preferred Alternative includes the stabilization of Kennedy Brook and capping of Areas A, B and C to achieve a condition of No Significant Risk. Land alteration associated with capping will be minimized by constructing a 40,250-sf (0.9 acres) cap at Area A, an 80,400-sf (1.8 acres) cap at Area B and a 45,600-sf (1 acre) cap at Area C, for a total of approximately 3.7 acres. An approximately 125-ft long section of Kennedy Brook will be regraded, stabilized and

replanted. An AUL will be placed on the site that will control exposure to contaminants by workers and restrict future uses of the site. According to the ENF, the Preferred Alternative for soil remediation is most consistent with the MCP criteria for selecting remediation alternatives and has been approved by MassDEP through the ACO. The Preferred Alternative also includes activities to address other decommissioning activities in accordance with the ACO.

Wetlands and Stormwater

Remediation and restoration activities will impact 460 lf of Bank, 0.52 acres of LUW, 4.3 acres of BLSF, 4.45 acres of Riverfront Area and 190 sf of IVW. Impacts to Bank, LUW and adjacent areas of Riverfront Area and BLSF are associated with regrading and stabilization of Kennedy Brook and the removal of sheetpiling, intake and return pipes, the fire dock and outfalls from the Connecticut River. A 125-lf section of Kennedy Brook bank will be restored. The bank is nearly vertical and comprised of coal ash; it has failed and is eroding into the brook. The bank will be regraded with a 2:1 slope, including one foot of loam, and replanted. Impacts to the bank and associated habitat will be minimized by using bioengineering techniques, such as coir logs and large woody debris to stabilize the bank rather than riprap. To minimize water quality impacts, a cofferdam will installed in a portion of the adjacent stream and dewatered. The cofferdam will not extend across the entire brook and stream flow will be maintained. The cofferdam will be removed once the bank is stabilized.

Work in the Connecticut River includes removal of sheetpiling, pipes and the fire dock. A silt curtain will enclose the work area to minimize turbidity in the river. Removal of the other structures and restoration of a 335-lf section of Bank along the Connecticut River will take place under dewatered conditions within a cofferdam installed landward of the silt curtain. The pipes will be removed from the river and to a point at approximately 25 feet landward of the Bank of the river; remaining sections of pipe will be filled and capped. The bank will be regraded, stabilized and restored with native vegetation. Ten outfalls convey stormwater and/or treated wastewater and discharge from the Bank above the high water mark. Two of the outfalls will remain in place to convey stormwater from the site. The other eight outfalls will be cleaned and the last two feet will be filled with brick and concrete. One of the pipes does not protrude from the Bank. Excavation of soil above it will expaose the end of the pipe. In addition, at least one of the outfall pipes contains asbestos (transite). The seaward end of this pipe will be exposed, a portion will be removed and the remaining section will be buried to minimize exposure.

Riverfront Area and BLSF will also be impacted by activities associated with soil remediation, removal of the pipe bridge across Kennedy Brook and decommissioning of the power plant, coal conveyance system, WTP and removal and/or abandonment of accessory structures. Area A is located within BLSF. As noted previously, excavation will be included prior to capping to maintain flood storage capacity and pre-construction surface elevations. Decommissioning of facilities will include removal of above-grade portions of the structures and filling and abandonment of subsurface components. All disturbed areas of Riverfront Area and BLSF will be regraded and replanted.

Rare Species

According to NHESP, the project will result in a Take of Eastern Pondmussel and Yellow Lampmussel pursuant to the Massachusetts Endangered Species Act (MESA) regulations at 321

CMR 10.00. In order to qualify for a CMP, the Proponent must demonstrate that the project will avoid, minimize and mitigate impacts to rare species. The analysis must include: (1) an assessment of alternatives to temporary and permanent impacts to the species; (2) a demonstration that an insignificant portion of the local population will be impacted; and, (3) the development and implementation of a conservation and management plan that provides a long-term net benefit to the conservation of the local population of the impacted species. According to ENF, a long-term net benefit to the impacted species will be provided by avoiding alteration of rare species habitat; observing a time-of-year (TOY) restriction specified by NHESP; minimizing construction-period impacts; and protecting, managing or restoring habitat and/or providing funds for conservation research.

Climate Change Adaptation and Resiliency

Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569) was issued on September 16, 2016. EO 569 recognizes the serious threat presented by climate change and directs state agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet greenhouse gas emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change. The City of Holyoke is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) Program. The MVP program is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources and vulnerable populations, and develop, prioritize and implement specific actions the City can take to reduce risk and build resilience.

The region's climate is expected to experience more frequent and intense storms and increased levels of precipitation. The Northeast Climate Science Center at the University of Massachusetts at Amherst has developed projections of changes in temperature, precipitation and sea level rise for each river basin in Massachusetts. This data is available through the Climate Change Clearinghouse for the Commonwealth at www.resilientMA.org. Based on its location adjacent to the Connecticut River, the site is vulnerable to flooding, which may become more frequent and more intense under future climate conditions. By the end of the century, the average annual precipitation in the Connecticut River Basin is expected to increase by 1.7 to 8.3 inches, most of which is expected to occur in the winter and spring with more dry days in the summer.

I encourage MassDEP and the Proponent to incorporate resiliency design features in the remediation projects, including caps placed on soil within the floodplain and outside but adjacent to the floodplain and shorelines subject to erosion under future storm events. I note that the Preferred Alternative includes maintaining the forest covering most of the ash deposition areas, which will enhance the stability of the site and soil.

Construction

MassDEP will require that all construction and demolition (C&D activities comply with relevant regulations and standards, including Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54. I refer the Proponent to the comments from MassDEP regarding building demolition and solid waste management, including the management of asbestos

containing material (ACM), asphalt, brick, and concrete (ABC) and contaminated soil. Any on-site reuse of brick and concrete demolition materials will be reviewed by MassDEP in accordance with the ACO. I encourage the Proponent to set an aggressive goal for recycling construction waste.

The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES CGP to control erosion and sedimentation during the construction period. The Proponent should adopt measures to avoid, minimize and mitigate construction period impacts (including but not limited to, land disturbance, noise, dust, odor, nuisance, vehicle emissions and construction and demolition debris). I encourage the Proponent to use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). The Proponent should ensure compliance with the Massachusetts Idling Regulations including signage limiting idling to less than five minutes.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and demonstrated that the project's environmental impacts will be avoided, minimized and/or mitigated to the extent practicable. Based on review of the ENF and comments received, and in consultation with State Agencies, I have determined that no further MEPA review is required. As noted by MassDEP, site investigation and the design of remedial activities are ongoing. The Proponent should consult with the MEPA office if there are any material changes to the project that would increase environmental impacts prior to the taking of Agency Action.

May 10, 2019
Date

K. Theoharides
Kathleen A. Theoharides

Comments received:

04/29/2019	Pioneer Valley Planning Commission (PVPC)
04/30/2019	Massachusetts Department of Environmental Protection (MassDEP)/Western Regional Office (WERO)
04/30/2019	Natural Heritage and Endangered Species Program (NHESP)

KAT/AJS/ajs

PIONEER VALLEY PLANNING COMMISSION
50 YEARS
1962-2012
Timothy W. Brennan, Executive Director

April 29, 2019

Mr. Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Attention: MEPA Unit

Reference: Review Comments on the Resubmittal of the Environmental Notification Form (ENF) for the Proposed Mt. Tom Plant Decommissioning Project in Holyoke, Massachusetts, EEA # 16007.

Dear Secretary Beaton:

The Pioneer Valley Planning Commission (PVPC) has the following review comments on the ENF for the above-cited project. As proposed, the project consists of the decommissioning and associated remediation work for the Mt. Tom Plant and Solid Waste Management Facility in Holyoke, Massachusetts.

We understand that the proposed Remedial Alternative, #3, will stabilize the failed portion of Kennedy Brook bank (Area D), cap surficial soils at the former plant landfill (area A), and cap the petroleum and vanadium areas (Areas B and C) with implementation of an Activity and Use Limitation (deed restriction) to control future exposures throughout most of the site. Capping will not remove contamination from the site, but rather it is intended to reduce risk for human and direct exposure to site contaminants, particularly petroleum and coal ash. It will entail placing a two-foot layer of soil/aggregate cap covered by a one foot layer of soil that will support vegetation.

While Alternative 1—removal of all site contaminants—would provide the greatest human and ecological benefit to this important location along the Connecticut River, it is understood that the Alternatives Analysis process and review by MassDEP has identified Alternative 3--with select capping of contaminated areas--as providing a balance of implementability, cost effectiveness, and risk of short and long-term impacts.

PVPC has two recommendations tied to the characteristics and issues identified at this site and requests these be seriously considered by the MEPA Unit.

1. Given how important it is that people understand the nature and specific locations of remediation/and no remediation at this site there should be a map that clearly labels: the locations of on-site contamination; which areas will be capped (based on the ENF project description Areas of A, B, C, D, E); and, which areas will not be addressed in the site remediation. The maps provided in Appendix A of the ENF do not provide this level of detail. Furthermore, this map should be included in the Activity and Use Limitation (deed restriction).

2. While the Activity and Use Limitation (deed restriction) provides some tie to the history of the site and limits on future use, we would argue that rather than demolish all indications of the site's history, it would be prudent to retain some part of the former coal plant to leave a sign of its former use and the related hazards associated with its adjacent lands and waters. This could help reduce future risk and potential health impacts.

   Given that the plant has already been demolished, PVPC recommends, at the very least, laying of an appropriate highly colored and durable textile fabric between contaminated material and the layer of cover material to be added. Anyone digging or excavating in the future would encounter this fabric and be provided some warning of what lies beneath. Holyoke is using such materials currently in other brownfields within the City, specifically Valley Arena Park.

Thank you for the opportunity to offer our comments on this proposed project.

Sincerely,

Gary M. Roux for

Timothy W. Brennan
Executive Director

cc: A. Morse, Mayor of Holyoke
M. Panitch, PVPC Commissioner – Holyoke
E. Regan, PVPC Alternate – Holyoke
M. Marrero – Holyoke Director of Planning & Economic Development
M. Coady, Tighe & Bond, Inc.

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April 30, 2019

Matthew A. Beaton, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Alex Strysky, EEA No. 16007
100 Cambridge St.
Boston, Massachusetts 02114

Project Name:	*Mt. Tom Plant Decommissioning and Solid Waste Management Project*
Proponent:	*Mt. Tom Generating Company, LLC*
Location:	*200 Northampton Street (Holyoke)*
Document Reviewed:	*Environmental Notification Form*
EEA No.:	*16007*
NHESP No.:	*05-18676*

Dear Secretary Beaton:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") has received and reviewed the *Environmental Notification Form* (ENF) for the proposed *Mt. Tom Plant Decommissioning and Solid Waste Management Project* (the Project) and would like to offer the following comments regarding state-listed species and their habitats.

Based on a review of the information provided and the information currently contained in our database, the proposed project will occur within the mapped Priority and Estimated Habitat for the following state-listed species:

Scientific name	Common Name	Taxonomic Group	State Status
Acipenser brevirostrum	Shortnose Sturgeon	Fish	Endangered*
Haliaeetus leucocephalus	Bald Eagle	Bird	Threatened
Lampsilis cariosa	Yellow Lampmussel	Freshwater Mussel	Endangered
Ligumia nasuta	Eastern Pondmussel		Special Concern
Gomphus fraternus	Midland Clubtail	Dragonfly	Endangered
Gomphus ventricosus	Skillet Clubtail		Threatened
Stylurus Amnicola	Riverine Clubtail		Endangered

These species listed above are protected under the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). State-listed wildlife are also protected under the state's Wetlands Protection Act (WPA) (M.G.L. c. 131, s. 40) and its implementing regulations (310 CMR 10.00). Fact sheets for most state-listed rare species can be found on our website (www.mass.gov/nhesp). *The Shortnose Sturgeon is federally listed and protected pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11) implemented by the National Marine Fisheries Service ("NMFS").

The proposed project described in the ENF is focused on the closure and remediation of the former coal-burning facility and site in compliance with the April 2018 Administrative Consent Order issued by the MA Department of Environmental Protection. The current filing before MEPA is focused only on the remediation and closure of the site with implementing actions described in *Section 3: Project Description*. Plans for redevelopment of the site are not presented at this time and the Division understands future development proposals will be the subject of separate filings, as needed, at the time such plans are developed by the Proponent or future parties.

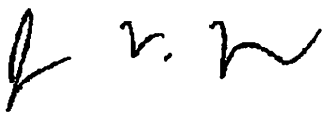
The Division has engaged in pre-filing consultations with the Proponents and their representatives regarding the site remediation and closure. Based on a review of the information contained in the ENF, discussions during pre-filing consultations, and the information contained in our database, the Division anticipates that the Project will result in a Take (321 CMR 10.18) of the Eastern Pondmussel and Yellow Lampmussel. We anticipate that the project will avoid a Take of the remaining species, including the Shortnose Sturgeon and Bald Eagle, through implementation of protective measures.

Projects resulting in a Take of state-listed species may only be permitted if they meet the performance standards for a CMP. In order for a project to qualify for a CMP, the applicant must demonstrate that the project has avoided, minimized and mitigated impacts to state-listed species consistent with the following performance standards: (a) adequately assess alternatives to both temporary and permanent impacts to the state-listed species, (b) demonstrate that an insignificant portion of the local population will be impacted, and (c) develop and agree to carry out a conservation and management plan that provides a long-term net benefit to the conservation of the state-listed species.

The Proponent has proactively to consult with the Division during pre-filing consultation to avoid, minimize and mitigate impact to state-listed species and their habitat associated with remediation and decommissioning the site. The Proponent is still exploring options to achieve a long-term net benefit for the affected species and likely will need to consider off-site options. The Division will not render a final decision until the MEPA review process and its associated public comment period is complete, and until all required application materials have been submitted to the Division. As the MESA review process has not formally been conducted, no alteration to the soil, surface, or vegetation associated with the proposed Project shall occur on the property until the Division has made a final decision pursuant to 321 CMR 10.18.

If you have any questions about this letter, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist, at (508) 389-6356 or misty-anne.marold@mass.gov. We appreciate the opportunity to comment on this project.

Sincerely,



Jonathan V. Regosin, Ph.D.
Deputy Director

cc: Holyoke Conservation Commission
Holyoke City Council (allenr@holyoke.org)
Mayor Alex Morse, Holyoke (morsea@holyoke.org)
David Foulis, MA DEP Western Regional Office, Wetlands
David Cameron, MA DEP Western Regional Office, Wetlands
Paul Sneeringer, U. S. Army Corps of Engineers, New England Regional Office
Zachary Jylkka, Fisheries Biologist, NOAA (Zachary.jylkka@noaa.gov)

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Secretary

Martin Suuberg
Commissioner

April 30, 2019

Matthew Beaton, Secretary
Executive Office of Energy & Environmental Affairs
Massachusetts Environmental Policy Act Office
Alex Strysky, EEA No. 16007
100 Cambridge Street 9th Floor
Boston, MA 02114-2524

Re: Mt Tom Plant Decommissioning and Solid Waste Management Project, Holyoke ENF

Dear Secretary Beaton,

The Massachusetts Department of Environmental Protection (MassDEP), Western Regional Office (WERO) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted for the proposed Mt Tom Plant Decommissioning and Solid Waste Management Project, Holyoke (EEA #16007) in Holyoke. Applicable MassDEP regulatory and permitting considerations regarding wetlands, waterways, wastewater, air pollution, solid and hazardous waste, and waste site cleanup are discussed. MassDEP staff attended the MEPA site visit on April 22, 2019.

I. Project Description

The Proponent of the project is Mt. Tom Generating Company, LLC (MTGC) a subsidiary of ENGIE North America, Inc. Prior to 2014, the 130 acres facility was used for generation of electricity utilizing oil or coal and includes the power block, associated infrastructure, a coal-stockpile conveyor area, a wastewater treatment plant, wastewater and settling basins, water intake and discharge structures, multiple areas of coal and/or oil ash disposal, a power plant landfill and a former City of Holyoke landfill. A small area to the south was used for agriculture. Significant amounts of coal ash are disposed throughout the site. The proposed work is to remediate contaminated areas, remove intake and outfalls from the Connecticut River, decommission the industrial wastewater treatment plant, stabilize the bank of Kennedy Brook, restore areas of impacted rare species habitat and conduct other activities in connection with the decommissioning of the site.

MassDEP and MTCG executed an Administrative Consent Order (ACO) in 2001 addressing closure of various wastewater and settling basins at the facility which was partially completed. In April 2017, a release of metals in soil was identified and the site was assigned a release tracking number (RTN) 1-20229; solid waste closure activities and remediation were reassigned and regulated under the Massachusetts Contingency Plan (MCP). On April 10, 2018 MassDEP

and MTCG executed an ACO detailing the decommissioning, remediation and closure of the facility; the 2018 ACO supersedes the 2001 ACO.
The work outlined in the ENF is related to the decommissioning of the Site and unlike a typical development project, which proposes to alter resource areas for the purpose of Site development. The proposed work is required to ensure the appropriate Site restoration as part of the decommissioning process and is the direct result of an ACO entered into by ENGIE and the MassDEP (i.e., ACO # 0002589 on April 11, 2018). As such, the ACO requires the completion of the project elements described in the ENF. Paragraph 9.B. of the "Disposition and Order" section of the ACO provides that the ACO may serve as the permitting mechanism by which the MassDEP may authorize the project under the statutes administered by the MassDEP. This clause of the ACO was at once intended to streamline the plant decommissioning, solid waste management, wastewater treatment plant decommissioning, Water Management Act compliance, waste site cleanup and remediation, and site restoration, and to ensure the requisite regulatory standards of each of these programs were achieved to the greatest extent practicable.

The main structures of the power block itself have been dismantled except for the smoke stack. The project will impact 7.8 acres of Bordering Land Subject to Flooding and Riverfront Area and disturb over 2 acres of rare species habitat. The project will require filing with the Holyoke Conservation Commission, which has a local wetland ordinance, review by the Natural Heritage and Endangered Species Program and U.S. Army Corps of Engineers.

The ENF includes the following environmental impacts:

- 15 acres of new land alteration,
- 460 linear feet impacts to Bank,
- 190 square feet (s.f.) temporary impacts to Isolated Vegetated Wetlands (IVW),
- 22,750 s.f. temporary impacts to Land Under Water,
- 186,750 Bordering Land Subject to Flooding,
- 193,950 s.f. Riverfront Area, and
- 85,300 s.f. Buffer Zone.

II. Applicable Mass DEP Permits/Regulations

Wetlands and Waterways
310 CMR 10.00
314 CMR 4.00
314 CMR 9.00
Wastewater
314 CMR 7.00
Air Pollution
310 CMR 7.00
Solid Waste
310 CMR 19.000

Bureau of Waste Site Cleanup
310 CMR 40.0000

III. Permit Discussion

Bureau of Resource Protection

Wetlands and Waterways

The proposed project area contains regulated resources areas of Bank (Inland), Bordering Vegetated Wetland, Riverfront Area, Isolated Vegetated Wetlands, Land Under Water Bodies and Buffer Zone.

Th Proponent will file a Notice to the Holyoke Conservation Commission regarding work proposed under the jurisdiction of the local Ordinance. MassDEP recommends that the Commission hold any hearing open until the Secretary issues a Certificate indicating the MEPA process is completed and the Army Corps of Engineers, and MassDEP approvals are issued.

As noted, the ACO addresses compliance with Massachusetts regulatory statutes including the Massachusetts Wetlands Protection Act (WPA); the Massachusetts Clean Waters Act; and the Massachusetts Public Waterfront Act.

The Department continues to work with ENGIE to provide comments on draft plans, as provided for in the ACO, in order to ensure the development of plans appropriate for the decommissioning and restoration of the Site. For wetlands review, a broader quantified summary and descriptions of alterations to WPA Resource Areas and Waters of the United States within the Commonwealth associated with final site plans will assist MassDEP in its review.

Summaries should be prepared in tabular form and should further describe the existing and proposed state of the affected jurisdictional areas in square feet and linear feet (particularly as regards vegetation). In addition, final site plans will need to provide more details of restoration proposed for Bordering Land Subject to Flooding and Riverfront Area. MassDEP has the authority to condition the work proposed in order to meet applicable regulatory requirements through its approvals under the ACO.

Wastewater

The water treatment plant facilities will be dismantled, and the site restored under approvals in accordance with the ACO. The remediation of the basins is still under consideration and will be addressed under the Bureau of Waste Site Cleanup review.

National Pollutant Discharge Elimination System (NPDES)
Except for two stormwater discharge, the NPDES discharges will cease and infrastructure dismantled.

Bureau of Air and Waste

Air Pollution

Construction and Demolition Activities

The construction and demolition activity must conform to current Air Pollution Control Regulations. The proponent should implement measures to alleviate dust, noise, and odor nuisance conditions that may occur during the construction and demolition activities. Such measures must comply with the MassDEP's Bureau of Waste Prevention (BWP) Regulations 310 CMR 7.01, 7.09, and 7.10.

Construction Equipment
The Proponent has committed to comply with the requirement that all non-road engines be operated using only ultra low sulfur diesel (ULSD) with a sulfur content of no greater than 15 ppm pursuant to 40 CFR 80.510.

Solid Waste

In accordance with regulation and the ACO, the Proponent shall properly manage and dispose of all solid waste generated by this proposed project pursuant to 310 CMR 16.00 and 310 CMR 19.000, including the regulations at 310 CMR 19.017 (waste ban).

Asphalt, brick and concrete (ABC) generated through crushing and reuse on-site must be handled in accordance with regulation and policy. More information regarding the handling of ABC may be found at the following website:
http://www.mass.gov/eea/agencies/massdep/recycle/reduce/using-or-processing-asphalt-pavement-brick-and-concrete-.html.

The BUD regulations at 310 CMR 19.060 establish levels of assessment for four categories of beneficial use. These amended regulations would be applicable to reuse of any materials generated by this project that would otherwise be considered solid waste.

The project Proponent should be advised that construction activity at the site must comply with both Solid Waste and Air Quality Control regulations. The appropriate Solid Waste provisions addressing this include M.G.L. Chapter 40, Section 54.

Hazardous Waste and Industrial Wastewater

Any hazardous waste located on site must be handled and disposed in accordance with all applicable provisions of 310 CMR 30.000

Bureau of Waste Site Cleanup
The site remediation and closure will be conducted through approvals as detailed in the ACO and primarily under the regulatory jurisdiction of the Massachusetts Contingency Plan (MCP). Although much of the assessment work has been completed under the Phase II of the MCP, additional assessment is required in some areas. From work currently completed, the Proponent has concluded that remediation is required for the following areas:

- Former Landfill Areas
- Vegetated Ash Areas
- Former fly ash and bottom ash settling basins)
- Kennedy Brook

The Proponent has submitted a Phase III Remedial Action Plan (RAP) that evaluates remedial alternatives for each of these areas and selected stabilization of the failed portion of the

Kennedy Brook bank, capping of surficial soils at the former plant area landfill, and capping of the vegetated ash areas with implementation of an AUL over much of the site.

In accordance with the ACO, details of the selected remedy will be submitted in a Phase IV Remedy Implementation Plan (RIP), due to MassDEP within 180 days of approval of the Phase III RAP. MassDEP conditionally approved the Phase II Comprehensive Site Assessment (CSA)/Phase III RAP on November 6, 2018. However, the Proponent is conducting additional assessment to complete outstanding Phase II CSA requirements; based on the findings of the Phase II CSA, additional remediation may be required and would be addressed by a revised Phase III RAP. MassDEP will issue final approval of the Phase III RAP once the Phase II CSA is completed.

A recent submittal regarding the industrial wastewater treatment plant indicates dismantling of the facilities and possible onsite reuse of materials following approval under a BUD process. The lined basins will be deconstructed and assessed under the MCP; the proposed work will be submitted under a Release Abatement Measure Plan for this work. Any required remediation would again be evaluated under a revised Phase III RAP and details regarding remediation filed with the Phase IV RIP.

Section 3 of the ENF provides descriptions of the proposed caps for the areas identified in the Phase III RAP. MassDEP has not received the Phase IV RIP detailing the remedy and considers the description in the ENF as preliminary. The same is true for the Kennedy Brook bank/slope restoration. MassDEP will continue to work with the Proponent to review plans under the MCP and in accordance with wetlands and waterways regulations.

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

IV. Comments/Guidance

MassDEP will continue to work with the Proponent in accordance with the ACO to ensure proper decommissioning and closure of the facilities.

If you have any questions regarding this comment letter please contact Catherine Skiba at (413) 755-2119 or catherine.skiba@mass.gov.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Michael Gorski
Regional Director

cc: MEPA File