

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
Massachusetts Environmental Policy Act (MEPA) Office

Environmental Notification Form

For Office Use Only

EEA#: 16246

MEPA Analyst: Anne Canaday

The information requested on this form must be completed in order to submit a document electronically for review under the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Lenox Valley WTF, LLC		
Street Address: 64-68 Willow Creek Road		
Municipality: Lenox	Watershed: Housatonic	
Universal Transverse Mercator Coordinates: 644679.14E 4690647.03N UTM Zone 18T	Latitude: 42.354638	Longitude: -73.243277
Estimated commencement date: 8/2020	Estimated completion date: 8/2020	
Project Type: Modification of Solid Waste Transfer Station – Increase TPD	Status of project design: 100%complete	
Proponent: Lenox Valley WTF, LLC		
Street Address: 95 Marble Street		
Municipality: Lee	State: MA	Zip Code: 01238
Name of Contact Person: Brett Kamienski		
Firm/Agency: SK Design Group, Inc.	Street Address: 2 Federico Drive	
Municipality: Pittsfield	State: MA	Zip Code: 01201
Phone: (413) 443-3537	Fax: (413) 445-5376	E-mail: bkamienski@sk-designgroup.com

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

If this is an Expanded Environmental Notification Form (ENF) (see 301 CMR 11.05(7)) or a Notice of Project Change (NPC), are you requesting:

a Single EIR? (see 301 CMR 11.06(8)) Yes No
a Special Review Procedure? (see 301CMR 11.09) Yes No
a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
a Phase I Waiver? (see 301 CMR 11.11) Yes No
(Note: Greenhouse Gas Emissions analysis must be included in the Expanded ENF.)

Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?
(9) Solid Waste
Which State Agency Permits will the project require?
MassDEP Modification of a Large Handling Facility (BWP SW07)
Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres: **None**

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	1.06±		
New acres of land altered		0	
Acres of impervious area	1.06±	0	1.06±
Square feet of new bordering vegetated wetlands alteration		0	
Square feet of new other wetland alteration		0	
Acres of new non-water dependent use of tidelands or waterways		0	
STRUCTURES			
Gross square footage	11,325±	0	11,325±
Number of housing units	0	0	0
Maximum height (feet)	35	0	35
TRANSPORTATION			
Vehicle trips per day	232±	136±	368±
Parking spaces	18	0	18
WASTEWATER			
Water Use (Gallons per day)	166±	0	166±
Water withdrawal (GPD)	0	0	0
Wastewater generation/treatment (GPD)	0	0	0
Length of water mains (miles)	0	0	0
Length of sewer mains (miles)	0	0	0
Has this project been filed with MEPA before? <input type="checkbox"/> Yes (EEA # _____) <input checked="" type="checkbox"/> No			
Has any project on this site been filed with MEPA before? <input checked="" type="checkbox"/> Yes (EEA # 10376) <input type="checkbox"/> No			

GENERAL PROJECT INFORMATION – all proponents must fill out this section

PROJECT DESCRIPTION:

Describe the existing conditions and land uses on the project site:

The Lenox Valley Waste Transfer Facility (LV) at 64-68 Willow Creek Road in Lenox is located in an industrial zoned area of Lenox. LV is a solid waste transfer station that is permitted to accept construction and demolition (C&D) waste and municipal solid waste (MSW). All C&D waste received at the LV is unloaded on the facility's tipping floor where it is sorted for recycling and/or disposal other than a curbside drop-off area for non-commercial waste acceptance. The facility operates 7am – 5pm Monday through Friday and 7am -12pm on Saturdays. The facility sorts incoming loads of waste and segregates materials into rail cars for transport for disposal or roll-off containers for disposal and/or recycling. The LV facility is currently operating under an Authorization to Operate (ATO) permit dated April 16, 2020 and Waste Ban Compliance Plan (WBCP) permit also dated April 16, 2020. Copies of the ATO and WBCP permits are provided as Exhibit A.

The LV site was granted Site Assignment as a solid waste transfer station facility in September of 1993. The applicant was Lenox Trucking (William Vahle). An Authorization to Construct (ATC) and ATO permits for a Small Handling Facility (<49 tpd) were originally issued by MassDEP in March of 1995.

A Certificate of the Secretary of Environmental Affairs on the Environmental Notification Form (ENF) was issued on June 7, 1995 (EOEA Number 10376). The ENF Certificate determined that the project did not require an Environmental Impact Report (EIR). The project consisted of an expansion of the facility from 49 to 250 tpd. Due to conditions of non-compliance from MassDEP at that time, MEPA suggested that if MassDEP determined that facility expansion is feasible, it should be performed in stages (i.e. 100 tpd, 150 tpd, 200 tpd, etc.). No further MEPA review was required upon issuance of the Certificate. A copy of the certificate is provided in Exhibit B.

Waste Management (WM) purchased the facility from Lenox Trucking in July of 1997 and continued operations until February of 2006. WM continued improvements to the facility per a March 1997 ATC and ATO permit issued by MassDEP. As-built plans were never submitted thus waste acceptance was never increased from 49 to 100 tpd per MassDEP. WM ceased operations in February 2006 but maintained a valid ATO permit.

Lenox Valley WTF, LLC purchased the facility in December of 2008 and MassDEP issued an ATO for the facility. LV implemented modifications, including renovations to the former facility office building and the construction of the new waste handling building and rail spur. These modifications include the facility as it exists today (see Site Plans -Drawing # of #). Following these modifications, MassDEP approved an increase of waste acceptance at the facility to 100 tpd in May of 2009. On July 23, 2012, MassDEP issued a permit that increased the maximum tonnage to 149 tpd and another permit was issued on August 6, 2015 that increased the maximum tonnage to 198 tpd where it currently stands today.

In January 2019, LV submitted a BWP SW 07 Permit Application for a Modification of a Large Handling Facility for an increase of waste acceptance from 198 to 247 tpd (49 tpd). No physical or operation changes were proposed for the facility. MassDEP did not review the application due to MEPA requesting an ENF in accordance with 301 CMR 11.03(9)(b)1. At this time, LV is altering their application to request a maximum acceptance of 500 tpd, an increase of 302 tpd from the current permitted amount of 198 tpd. A copy of the revised BWP SW 07 Permit Application for the 302 tpd increase has been submitted to MassDEP simultaneous to this ENF. The revised copy of the BWP SW 07 permit application is presented as Exhibit C.

Describe the proposed project and its programmatic and physical elements:

NOTE: The project description should summarize both the project's direct and indirect impacts (including construction period impacts) in terms of their magnitude, geographic extent, duration and frequency, and reversibility, as applicable. It should also discuss the infrastructure requirements of the project and the capacity of the municipal and/or regional infrastructure to sustain these requirements into the future.

The project proposed increases the permitted tonnage at the LV to 500 tpd. No physical or operational changes are proposed at the facility. The request for increase in tonnage is mainly due to current C & D waste market in Berkshire County. Several current and up-coming large-scale construction or demolition projects within and immediately surrounding Berkshire County have increased the demand for a local facility that accepts C & D waste. Unlike eastern Massachusetts, Berkshire County has a shortened construction season due to harsh and prolonged winters which in turn causes a spike in construction projects typically between May and September. In addition, the population of Berkshire County drastically increases during the same months due to an influx of tourists and second homeowners. This drastic fluctuation in population coupled with peak construction activity puts stress on the local waste stream privately and commercially. The current permitted limit of 198 tpd at the LV facility has a negative impact to regular customers in addition to local waste haulers. During peak business months (May-September), LV may refuse to contract large-scale construction projects or allow incoming loads to the facility so that the 198 tpd daily cap for the facility is not exceeded. By turning away customers, lost revenue and scheduling conflicts are created on both ends. In addition, due to the C & D disposal and recycling void in Berkshire County, declining customers from the facility creates a financial burden to local contractors, businesses, and homeowners.

LV current permit allows for 198 tpd which equates to 72,270 tpy (365 days). For 2017, 2018, and 2019, LV accepted an average of 75, 69 and 66 tpd, respectively; which equates to 23,025, 21,183, and 20,308 tpy, respectively. These averages were based on 307 days of operation each year. These tpy totals are between approximately 49,000 and 52,000 less than the annual permitted allowance. Based on the data, the currently requested increase of acceptance to 500 tpd will allow for the facility to meet seasonal demands with daily acceptance flexibility, contracting large-scale construction projects during peak season, and expansion beyond Berkshire County while maintaining compliance with the annual permitted capacity.

Based on the annual reporting for the last three (3) years (2017-2019), approximately 82% of accepted waste at LV is C&D, 12% MSW, with the remaining 6% consisting of recyclable material (paper, cardboard, clean wood, metal, plastics, glass, ABC, compost materials). LV is unique; unlike most transfer stations in the State, LV will except waste ban wastes and remove them from the waste stream for proper disposal and/or recycling. All incoming loads are closely inspected for restricted waste at the weigh scale and tipping floor. LV does not except hazardous waste or liquid wastes under any circumstance.

Describe the on-site project alternatives (and alternative off-site locations, if applicable), considered by the proponent, including at least one feasible alternative that is allowed under current zoning, and the reasons(s) that they were not selected as the preferred alternative:

NOTE: *The purpose of the alternatives analysis is to consider what effect changing the parameters*