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July 11, 2007

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

PROJECT NAME : National Standard Remediation Project  
PROJECT MUNICIPALITY : Worcester  
PROJECT WATERSHED : Blackstone  
EOEA NUMBER : 14043  
PROJECT PROPONENT : National Standard, LLC  
DATE NOTICED IN MONITOR : June 11, 2007

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

According to the Environmental Notification Form (ENF), the proposed project involves the on-site remediation of approximately 4,500 cubic yards (cy) of soils contaminated with lead, arsenic and cadmium within a 23.5-acre parcel of industrial-zoned property located on Ludlow Street and James Street in Worcester. The eastern half of the project site abuts Ludlow Street and James Street and is comprised of previously developed uplands. The western half of the project site abuts Kettle Brook and is comprised of bordering vegetated wetlands (BVW), and a former historic mill pond (Jamesville Pond basin), and bordering land subject to flooding (BLSF). Lead contaminated soils are located throughout the project site.

The proposed remediation project consists of: 1) the excavation and relocation of contaminated soils and sediments from BVW and BLSF resource areas located within the Jamesville Pond Basin to on-site upland locations within the 23.5-acre parcel boundaries; 2) the construction and grading of an engineered barrier (landfill cap) covering approximately 4.0 acres of uplands to permanently encapsulate the contaminated soils; 3) the re-grading and re-seeding of all excavated BVW and BLSF resource areas located within the Jamesville Pond Basin. The proposed remediation activities are regulated under the Massachusetts Contingency Plan (MCP) as a Tier IA site remediation activity (RTN# 2-181).



The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(d) of the MEPA regulations, because the project requires state permitting and results in the alteration of 5,000 or more square feet (13,716 sf total) of bordering vegetated wetlands (BVW). The project will require a 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP); and an Order of Conditions from the Worcester Conservation Commission (and hence a Superseding Order of Conditions from MassDEP if the local Order were appealed). The project will also require a 404 General Program Category II Permit from the U.S. Army Corps of Engineers. The proponent is not seeking financial assistance from the Commonwealth for the project. MEPA jurisdiction therefore extends to those aspects of the project that are within the subject matter of required or potentially required state permits and that have the potential to produce significant Damage to the Environment. In this case, MEPA jurisdiction extends to issues related to land alteration, water quality, and wetlands.

### Future Development

According to the project proponent, upon completion of the proposed on-site remediation and capping project, the capped upland portion of the project site will be made available to accommodate a modest expansion of an existing fencing manufacturer, and new future development. The anti-segmentation provisions of the MEPA Regulations (Section 11.01(2)(c)) require the review of the proposed National Standard Remediation Project, and the future build-out of any portion of the project site, as a "common plan or undertaking." Pursuant to the anti-segmentation provision of the MEPA regulations, I must consider the environmental impacts associated with the proposed remediation project, and any future development of any portion of the project site described above as a common undertaking by the project proponent. I am therefore requiring that the proponent notify the MEPA Office regarding any future additional development that may be proposed within any portion of the 23.5-acre project site as allowable as-of-right under current local zoning. This notification to the MEPA Office will need to discuss both the potential cumulative infrastructure impacts including but not limited to traffic, water supply, wastewater and wetlands, and site planning issues arising out of the full build-out development of the project site.

### Wetlands

According to the information provided by the proponent during the MEPA consultation session held for this project on June 27, 2007, nearly all of the proponent's proposed remediation/excavation activities will be located within bordering vegetated wetlands (BVW) and bordering land subject to flooding (BLSF) areas. The project will result in the alteration of approximately 13,716 square feet (sf) of BVW, and approximately 2.35 acres of bordering land subject to flooding (BLSF) resource area. The proponent has committed to approximately 13,716 sf of wetland mitigation through re-seeding with appropriate wetland variety hydrophytic vegetation seed mix within the impacted wetland resource areas of the project site.

The proponent should consult with MassDEP to prepare a proposed planting schedule for the use of any bare-root wetlands plant material, the use of wetland replacement soils, and a wetland restoration monitoring program plan.

#### Stormwater/Drainage

As currently designed, the proponent's stormwater management plan has been designed in compliance with DEP's Stormwater Management Policy and will collect stormwater flows from the upland eastern portion of the project in a series of interconnected catch basins and Stormceptor treatment units to a proposed detention basin to be located at the southern edge of the proposed encapsulated fill area. The stormwater detention basin will discharge to BVW resource areas located adjacent to the Jamesville Pond Basin and Kettle Brook. I note that the proponent's proposed temporary and permanent stormwater management plan must be consistent with any/all wastewater discharge permits that the proponent will be required to obtain prior to beginning any landfill cap repair work. I ask the proponent to work closely with MassDEP in the final design of the project's stormwater management plan.

#### Hazardous Waste Remediation

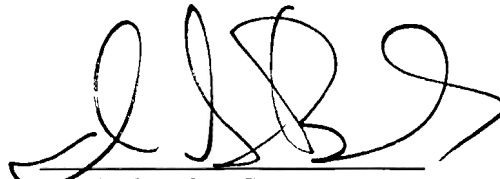
According to the proponent, the proposed remediation project has been designed to address existing contamination of arsenic, cadmium and lead located on site within wetland resource areas, and will result in the least amount of environmental impacts necessary to eliminate the risk to the environment posed by the contaminated sediment. The proponent will need to obtain the necessary permits under MGL c. 21E, 21C and OSHA for working in contaminated media. I strongly recommend that the proponent continue to consult with MassDEP's Bureau of Waste Site Cleanup (BWSC) in the final design of this project to evaluate the proponent's need for retaining a Licensed Site Professional (LSP) to assist in the project's construction, and to coordinate the project's construction activities with the other ongoing groundwater treatment projects in the area. The proponent should ensure that the project contractors and sub-contractors maintain an emergency response plan for performing appropriate response actions in the event contamination is encountered during project construction.

#### Construction Period Impacts/Coordination

The construction/remediation period will be the major source of impacts from the project, including impacts from earth moving, impacts to vegetation, potential impacts from erosion and sedimentation, impacts to private property and adjacent land uses, and traffic impacts on adjacent roadways. According to the ENF, the use of truck transportation will service the proposed project site.

I ask the proponent to work closely with the City of Worcester, private property owners located within and adjacent to the project site, and others to identify the locations of all public and private water supply wells, and other sensitive receptors, and to ensure that they will not be impacted by the proposed project's activities. According to the proponent, all temporary alterations resulting from the proposed remediation activities including; alterations to wetland resource areas, temporary gravel accessways, and project staging areas, will be removed and replanted. The proponent should require its contractors to use On-Road Low Sulfur Diesel (LSD) fuel in their off-road construction equipment that can increase the removal of particulate matter (PM) by approximately 25% beyond that which can be removed by retrofitting diesel-powered equipment. All construction-related refueling and equipment maintenance activities should be conducted under cover on impervious surface areas with containment, and outside of any wetlands resource areas, endangered species habitat areas, residential areas and wellhead protection areas.

The review of the ENF has served to demonstrate that the impacts of the project do not warrant the preparation of an EIR. I conclude that no further MEPA review is required at this time. The proponent can resolve any remaining issues during the permitting process



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Ian A. Bowles, Secretary

July 11, 2007  
Date

Comments received:

06/21/07      Department of Environmental Protection (MassDEP) – CERO

IAB/NCZ/ncz  
ENF #14045