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September 1, 2006

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

PROJECT NAME : Recycle America Enterprises Facilities Expansion
PROJECT MUNICIPALITY : Fitchburg
PROJECT WATERSHED : Nashua
EOEA NUMBER : 13621
PROJECT PROPONENT : Recycle America Enterprises, Inc.
DATE NOTICED IN MONITOR: August 1, 2006

As Secretary of Environmental Affairs, I hereby determine that the Final Environmental Impact Report (DEIR) submitted for this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). On June 16, 2006, I issued a Certificate on the Draft Environmental Impact Report (DEIR) that allowed the DEIR to be reviewed as a Final EIR in accordance with 301 CMR 11.08(8)(b)(2). Notice of the availability of the Final EIR appeared in the July 25, 2006 edition of the *Environmental Monitor* on August 1, 2006, which was subject to a 30-day comment period.

Project Description and MEPA Jurisdiction

In 2004, the proponent received a Determination of Need (DON) from the Department of Environmental Protection (DEP) to construct an asphalt shingle recycling facility, including a 37,500 square foot (sf) metal processing building, approximately four acres of paved parking area, an uncovered materials storage area for finished product (ground asphalt shingles, recyclable wood and plastic), and related stormwater management and utilities infrastructure, on a 14.97-acre site located off Stevens Road within the Montachusett Industrial Park in Fitchburg. Under DEP's DON permit authorization, the existing facility is approved to process up to 500

tons per day (tpd) of asphalt roofing shingles. The existing facility is currently recycling approximately 50 tpd of asphalt roofing shingles. According to DEP, the asphalt shingle recycling process is exempt from DEP's site assignment requirements, and therefore, the existing facility was not required to undergo MEPA review. The proponent has proposed to expand the existing asphalt shingle recycling facility to include the processing of an additional 250 tons per day (tpd) of construction and demolition (C&D) waste.

The project was subject to MEPA review and the mandatory preparation of an EIR pursuant to 301 CMR 11.03(9)(a) because the project involves the creation of new capacity of 150 or more tons per day (tpd) for the storage, treatment, processing, combustion, or disposal of solid waste. It will require a Site Suitability Determination, an Authorization to Operate, and an Industrial Wastewater Permit from DEP (310 CMR 16.00). This project may require an Order of Conditions from the Fitchburg Conservation Commission (and hence, a Superseding Order from DEP if the local Order is appealed). No other state permits will be required for the project, nor is the proponent seeking financial assistance from the Commonwealth for the project. MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to solid waste and wastewater issues.

Review of the FEIR

According to the information provided in the DEIR, the asphalt shingle recycling facility currently recycles approximately 50 tons per day (tpd) of material and generates approximately 15 average daily vehicle (car and truck) trips (adt). Under DEP's DON permit authorization, the facility is approved to process up to 500 tpd of asphalt roofing shingles and is expected to generate a total of approximately 330 adt. The proposed C&D materials processing operation is expected to generate an additional 115 adt, and at full capacity, the facility will generate approximately 445 adt. The primary access route to the site is expected to be via Route 2. As described in the DEIR, the proponent anticipates that less than five percent of the total trips generated by the facility, at full capacity, will be orientated along Route 2A and Route 31.

The proponent should note the comment received from Watchdogs for an Environmentally Safe Town (WEST) regarding the project's traffic impacts and potential traffic conflicts with the Montachusett Technical High School. As stated in the Certificate on the DEIR, DEP should address the facility's traffic impacts and potential traffic conflicts as part of the Site Suitability permitting process.

Summary of Mitigation

As noted in the Certificate on the DEIR, the proponent has committed to a range of mitigation measures including:

- Expanding the existing water mist dust suppression system to accommodate C&D material;
- Installing trench drain and oil/water separator within the enclosed processing building to collect drainage and runoff from incoming wet load material, snow melt, and the water misting dust suppression system;
- Planting trees along the northern and western borders of the project site to provide a visual screen and noise attenuation between the project site and residential areas located approximately 650 linear feet from the project site;
- Installing a removable concrete barrier within the enclosed waste handling facility to separate incoming C&D waste material and asphalt shingles; and,
- Payment of \$.50 per ton of incoming C&D waste material to the City of Fitchburg to mitigate the facility's increased use of municipal services.

Based on a review of the DEIR/FEIR, comments submitted on the project, and consultation with public agencies, I find that the proponent has provided a reasonably complete description and analysis of the project and its potential impacts, has adequately addressed the issues within MEPA jurisdiction, and has committed to measures that will avoid, minimize and mitigate adverse impacts. I am satisfied that any outstanding issues can be addressed through the state and local permitting processes. I refer the proponent, state agencies and others to the Certificate on the DEIR for additional details on mitigation commitments and recommendations regarding the proposed project. No further MEPA review is required.

September 1, 2006
Date


Robert W. Golledge, Jr.

Comments received:

08/31/06 Watchdogs for an Environmentally Safe Town (WEST)

RWG/RAB/rab