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September 21, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME : Recycle America Enterprises Facilities Expansion  
PROJECT MUNICIPALITY : Fitchburg  
PROJECT WATERSHED : Nashua  
EOEA NUMBER : 13621  
PROJECT PROPONENT : Recycle America Enterprises, In.  
DATE NOTICED IN MONITOR: August 22, 2007

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c.30, ss.61-62H) and Section 11.17 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR).

Background

In 2004, the proponent received a Determination of Need (DON) permit from the Department of Environmental Protection (MassDEP) to construct an asphalt shingle recycling facility, including a 37,500 square foot (sf) metal processing building, and approximately four acres of paved surface area that provides employee/visitor parking, delivery truck parking, and 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. The facility is accessed from Route 2A via Industrial Road and Stevens Road.

Under MassDEP'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 MassDEP, the asphalt shingle recycling process is exempt from MassDEP's site assignment requirements, and therefore the existing facility was not required to undergo MEPA review. In May 2006, the proponent submitted an Environmental Notification Form (ENF) to the MEPA Office 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 material. The September 1, 2006 Secretary's Certificate indicated that the Final EIR submitted for the processing of C&D waste material adequately and properly complied with MEPA and its implementing regulations.

The project was subject to review and mandatory preparation of an EIR pursuant to section 11.03(9)(a) of the MEPA regulations because the project involves the new capacity of 150 or more tpd of solid waste for storage, treatment, processing, combustion, or disposal. It required a Site Suitability and an Authorization to Operate Permit from MassDEP (310 CMR 16.00). The project was subject to a three-tiered review process including: 1) MEPA review; 2) the site assignment process administered jointly by the Fitchburg Board of Health, MassDEP and the Department of Public Health (DPH); and 3) the solid waste management facility permit review process administered by MassDEP. This project received an Order of Conditions from the Fitchburg Conservation Commission. The proponent was required to MassDEP for an Industrial Waste Water Permit for the proposed wastewater collection system.

### Project Change

As described in this NPC, the proponent is proposing to expand the list of acceptable materials that may be processed within the proponent's facility to include approximately 16,000 gallons per day (gpd) (70 tpd equivalent) of non-hazardous liquid waste (NHLW) including but not limited to: latex solutions, water-based paints, soy-based printing inks, and water/soy-based dyes. The proponent is proposing to co-mingle NHLW with C&D fines for off-site landfill disposal.

The proponent has to modify the existing permits for the facility to decrease the total amount of asphalt shingle processing permitted under MassDEP's DON permit authorization from 500 tpd to 430 tpd.

<b>MATERIAL</b>	<b>PERMITTED SOLID WASTE PROCESSING (TPD)</b>	<b>PROPOSED SOLID WASTE PROCESSING (TPD)</b>
Asphalt Shingles	500	430
C&D Material	250	250
NHLW	0	70
<b>TOTAL</b>	<b>750</b>	<b>750</b>

As described by the proponent, the proposed project change will not result in an increase of waste permitted by MassDEP to be accepted at the facility for processing and transfer. According to the comments received from MassDEP, the proposed addition of NHLW processing will require modifications to the facility's Site Assignment Permit and Authorization to Operate (ATO) permit previously issued to the proponent for the acceptance and processing of C&D material. The project change may also require modifications to the facility's Authorization to Construct Permit and a new Air Quality Permit

### Stormwater/Drainage

The Recycle America Enterprises facility is operating under an existing Multi-Sector General Permit and Storm Water Pollution Prevention Plan (SWPPP) from MassDEP. The facility's existing stormwater management system was designed in accordance with MassDEP's Stormwater Management Guidelines, and incorporates a closed drainage system comprised of approximately five deep sump catch basins, which collect and convey stormwater from the project site to an existing off-site detention pond located on an abutting parcel of property. Roof-top runoff from the existing metal processing building is collected and conveyed to a wetland resource area located in the western portion of the project site, and is also piped to the stormwater collection system serving the paved area of the facility which eventually discharges to the municipal stormwater drainage system located in the Arbor Way right-of-way. I note that in the original Environmental Notification Form (ENF) filed for this project (September 2005), the proponent committed to install a 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 prior to discharge to the municipal sewer system.

### Transportation

According to the proponent, 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). As described elsewhere in this Certificate, the facility is approved to process up to 500 tpd of asphalt roofing shingles under MassDEP's DON permit authorization, and is expected to generate a total of approximately 330 vtd at full capacity for asphalt shingle processing. At full capacity, the C&D materials processing operation (250 tpd of C&D waste) is expected to generate an additional 115 vtd. The proposed NHLW processing operation is expected to generate an additional 76 vtd. At full-build capacity, the Recycle America Enterprises facility will generate approximately 520 vtd. The primary access route to the site is expected to be via Route 2. I ask that MassDEP incorporate as part of the Site Suitability permit modification process a review of the proponent's materials hauler education/notification plan to the maximum extent practicable, residential neighborhoods and open space recreational areas, haul route road signage, hauler truck speed and weight restrictions, and truck queuing and idling requirements.

MassDEP should also specify the facility's shingle recycling, C&D processing and NHLW processing operating hours in its permit to minimize, to the maximum extent possible, disturbances from the facility to the surrounding project area.

### Noise Impact

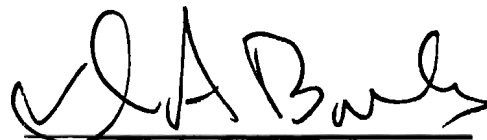
Operation of the solid waste processing activities at the facility's permitted full-capacity will generate continuous noise from both indoor sources (stationary machinery located within the processing building) and outdoor sources (onsite truck deliveries and loading operations). According to the proponent, at full capacity the Recycle America facility will generate increased noise levels below MassDEP's 10 decibels (10 dBA) noise impact criteria (DEP Noise Policy 90-001) at the project site property lines (approximately 6dba above ambient levels), and at the nearest residences located approximately 650 feet west of the project site (less than 2 dba above ambient sound levels). I note that in the original September 2005 ENF filed for this project the proponent committed to plant trees along the northern and western borders of the project site to provide a visual screen and additional noise attenuation between the project site and nearby residential areas. The proponent should work with the City of Fitchburg to develop a noise monitoring program to ensure the effectiveness of its mitigation measures at or near the facility's full capacity operations. This monitoring program should outline the actual monitoring operations, schedule, responsible parties, and back-up systems. I ask that the proponent should forward a copy of the noise monitoring program plan to the MEPA Office for the project file.

### Odor/Vectors/Litter

As described in the NPC, the proposed NHLW processing will be conducted within the existing metal processing building. According to the proponent, waste materials such as ground asphalt shingles, C&D wood waste, bailed recyclable plastics, and NHLW will be stored on the project site. The processing building is equipped with a spray mist dust prevention system and two exhaust fans designed to minimize impacts to air quality. I continue to encourage the proponent to consider the use of additional available technologies, including but not limited to the installation of a negative air pressure system with appropriate air pollution controls, to control dust and odor emissions from the proposed facility. According to MassDEP, the acceptance and processing of NHLW at the facility will require an Air Quality permit from MassDEP. The proponent will need to modify the facility's existing maintenance and operation plan to address the Solid Waste Management requirements specified for Cover Material, Vector, Dust and Odor Control, and Litter Control pursuant to 310 CMR 19.130, 15-17. I anticipate that MassDEP's Site Suitability permit modification review process will include a review of the proponent's outdoor waste storage plan, and the potential benefits of providing cover to waste materials stored on the project site to further control odor emissions from the proposed facility.

Based on a review of the NPC submittal, additional information provided by the proponent to the MEPA Office, a review of 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 permit and review process. The proposed project requires no further review under MEPA and may proceed to state permitting.

September 21, 2006  
Date

  
Ian A. Bowles, Secretary

Comments received:

08/21/07      Massachusetts Department of Environmental Protection – CERO (MassDEP)  
09/05/07      Montachusett Regional Planning Commission

NPC #13621  
IAB/NCZ/ncz