



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
*100 Cambridge Street, Suite 900*  
*Boston, MA 02114*

DEVAL L. PATRICK  
GOVERNOR  
TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR  
IAN A. BOWLES  
SECRETARY

December 12, 2007

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

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

PROJECT NAME : Solid Waste Recycling and Transfer Facility  
PROJECT MUNICIPALITY : 1080 Airport Road – Fall River  
PROJECT WATERSHED : Buzzards Bay  
EOEA NUMBER : 4895  
PROJECT PROPONENT : Browning-Ferris Industries, Inc. (MA)  
DATE NOTICED IN MONITOR : October 27, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **does not require** the preparation of an Environmental Impact Report (EIR).

The last NPC for this project involved a temporary increase in the amount (200 tons per day (tpd)) of solid waste (from 1,950 to 2,150 tpd) disposed at the landfill. The annual disposal tonnage limit for the landfill was 468,000 tons per year (tpy). The NPC was requested as an emergency action in recognition of a disposal capacity shortfall in the region due to shutdowns in incineration capacity in 1999. On September 23, 1999 the Secretary determined that no further MEPA review was required. The landfill was approved to accept an average of 1,500 tpd with a maximum daily acceptance rate of 1,950 tpd. Landfilling operations are ongoing within the Phase III landfill area. Upon completion of the filling within the Phase III area, the landfill operations will cease, and the site will be capped and closed. The existing landfill gas collection system and electrical generation facility will continue to operate at the site for an extended period of time after the landfill closes.

The proponent submitted an NPC on October 15, 2007. The proponent is proposing to operate a transfer and recycling station at the landfill site when landfill operations at the Fall River Landfill cease. The proponent is proposing to construct a 37,000 square foot (sf) transfer station building, which would provide space for the transfer of 1,000 tpd of municipal solid waste (MSW) as well as construction and demolition (C&D) waste processing and recycling

operations. On December 3, 2007, the proponent revised the daily tonnage from 1,500 to 1,000 tpd. Materials at this transfer facility would be sorted and consolidated for shipment off-site to other disposal or recycling facilities.

The proponent would alter a 4.4 acre portion of the landfill site for the transfer facility, and create 3.5 acres of impervious area. The proposed transfer station building will be equipped with floor drains to collect incidental liquids. It includes two transfer trailer bays. The mechanical equipment and manual operations associated with C&D processing, such as feed conveyors, vibratory screens, manual sorting and grinding operations, would be located within the building. MSW loads will be consolidated within 100 cubic yard transfer trailers. C&D operations will sort out wood, metals, and asphalt, brick and concrete (ABC) into separate loads.

The project will require an Authorization to Construct (BWP SW05), an Authorization to Operate (BWP SW06), and a Sewer Extension/Connection Permit for an industrial discharge from the Department of Environmental Protection (MassDEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site.

The facility would operate 312 days per year. The weekday and Saturday hours of operation are 7:00 am to 5:00 pm. The facility is closed on Sundays. The proponent would handle 1,000 tpd or 312,000 tpy. The proponent has not determined the portions of MSW and C&D, which will make up the 1,000 tpd. The tipping room floor is approximately 30,000 sf.

The proponent has estimated that the existing landfill operation generates approximately 254 average daily truck trips. The proposed transfer facility is anticipated to generate approximately 274 average daily truck trips or an increase of 20 truck trips. Site access will remain the same as under existing conditions. The proposed project will increase the amount of water consumed by approximately 700 gallons per day (gpd) and the amount of wastewater generated by 600 gpd.

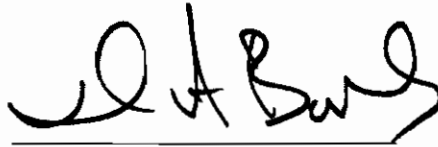
The proponent will implement Best Management Practices to improve stormwater quality on the project site. The runoff from paved areas flows to catch basins equipped with deep sumps and oil/water separators that flow to a water quality swale and a detention pond with a sediment forebay. Roof runoff flows to the stormwater system. The proponent will perform an annual inspection and maintenance program for the stormwater collection system and a daily wet sweeping program of the driveways and parking areas.

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant preparation of an EIR and can be addressed in the state and local permitting processes.

MassDEP has sufficient permitting authority to ensure that any issues that arise can be addressed. No further MEPA review is required for the establishment of a transfer station on the project site.

December 12, 2007

Date



Ian A. Bowles

Comments received:

SITEC, 11/20/07

MassDEP/SERO, 11/23/07

SITEC, 11/26/07

SITEC, 12/3/07

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