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December 24, 2008

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

PROJECT NAME : Long-Term Combined Sewer Overflow Control Plan
PROJECT MUNICIPALITY : Springfield
PROJECT WATERSHED : Connecticut River
EOEA NUMBER : 11525
PROJECT PROPONENT : Springfield Water and Sewer Commission
DATE NOTICED IN MONITOR : November 24, 2008

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (G.L.c.30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR). The proponent has also requested a Phase I Waiver in order to allow a portion of the project to proceed prior to submitting its Final EIR. Therefore, I am also issuing a Draft Record of Decision (DROD). The DROD is contingent upon the granting of a Phase I Waiver in the Final Record of Decision (FROD). If the Phase I Waiver is not granted in the FROD, then I will reissue this Certificate on the NPC with a denial of the requested Phase I Waiver. The Final EIR should incorporate impacts from Phase I and the rest of the project into its review of the cumulative environmental impacts of the project.

Previous MEPA Review

In 1998, an Environmental Notification Form (ENF) was submitted for the proponent's Combined Sewer Overflow (CSO) Plan. The Secretary issued a Certificate on this ENF requiring a mandatory EIR on April 10, 1998. In 2000, the proponent submitted the Draft Long-Term Control Plan (LTCP)/EIR. On June 23, 2000, the Secretary found that the DEIR was adequate. The cost of the preferred plan for CSO control was \$140.5 million and was prohibitive for the City of Springfield. The DEIR recommended a plan costing about \$13.7 million for Phase I, which reflected an affordability analysis acceptable to the U.S. Environmental Protection Agency (EPA). Phase I of the recommended plan consisted of the construction of a screening and disinfection treatment facility at Clinton Street in Springfield. The treatment facility would be sized to treat the CSO flows from the largest storm in the typical year from outfall 010 (Clinton

Street). The proponent also requested a Phase I Waiver to allow for the proposed Mill River CSO project to proceed prior to the submission of the FEIR. On July 31, 2000, the Secretary granted a Phase I Waiver for the Mill River CSO project in a Final Record of Decision (FROD). This Phase I Waiver included an optimization project (modifying the CSO regulators) in the Mill River. It also included the Watershops Pond stormwater management plan, which involved the installation of best management practices. In 2003, the proponent completed this work.

The proponent has continued to re-evaluate the Phase I projects of the proponent's DEIR in order to identify the most significant CSO discharges and the abatement alternatives to address this overflow. In 2004, the proponent submitted a second NPC, which expanded the Phase I Waiver to include the Chicopee River CSO control project, which consisted of the storage of CSO flows to achieve a six-month level of control (no more than two activations annually). This preferred plan would be implemented through a combination of underground storage tanks, box culverts, or conveyance infrastructure within roadways and public rights-of-way and/or privately-owned lots adjacent to the Chicopee River. Although this proposed work was not evaluated in the DEIR dated March 31, 2000, it achieved compliance with the U.S. Environmental Protection Agency (EPA) and the Department of Environmental Protection (MassDEP) CSO control policies for the area tributary to the Chicopee River, and it achieved a higher level of CSO control than in the DEIR. On December 10, 2004, the Secretary certified the NPC and granted the Phase I Waiver request. The project is under design and on schedule, and satisfies the current EPA Administrative Order (A/O).

After reassessing the CSO control alternatives and updating and recalibrating the collection system model along the Connecticut River, the proponent developed additional recommendations in 2006 after discussions with EPA and MassDEP. The modified Phase I recommended plan for the Connecticut River, as described in the NPC, consists of the separation of the combined sewers tributary to outfalls 007 (Rowland Street) and 049 (Springfield Street). CSO discharges from outfall 049 would be eliminated, and CSO discharges from outfall 007 will be controlled up to and including the two-year, 24-hour storm. The project described in the third NPC provides a greater level of CSO control to the Connecticut River compared to the earlier proposed screening and disinfection facility at Clinton Street. The sewer separation would result in a more cost-effective project for the proponent compared to the previously recommended plan. On November 9, 2006, the FROD was issued that granted the Phase I Waiver request.

The project requires the preparation of a mandatory EIR pursuant to Section 11.03(5)(a) of the MEPA regulations because the magnitude of the project will likely exceed the thresholds for this section. The project will require Treatment Works Modifications Permits and Sewer Extension Permits from MassDEP. The proponent will seek Commonwealth financial assistance from MassDEP. It may have to comply with the U.S. Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES) General Permit for stormwater discharges. The project may require a Programmatic General Permit from the U.S. Army Corps

of Engineers. Orders of Conditions may be required from the Springfield Conservation Commission (SCC) for work within resource areas and buffer zones. The proponent may seek project approval from the SCC as a limited project. Because the proponent may be seeking funding from the Commonwealth, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

NPC Project Change Description

Based on the Preliminary Design Report and its updated model prepared by the proponent for the CSO 007/049 Sewer Separation project, the proponent identified a new more optimal and cost-effective project with a similar level of CSO control as the prior NPC. This new project, as described in the current NPC, will provide the proponent with a substantial reduction in the area affected by construction activities, and at a significantly lower cost. The proponent is now proposing sewer separation of the CSO 007 (Roland Street) tributary area, enlarging the dry weather flow connection at the CSO 049 (Springfield Street) regulator, and no separation in the CSO 049 tributary area.

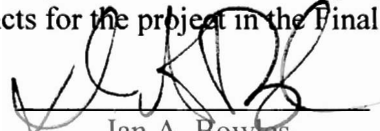
The CSO 007 tributary area is comprised of about 288 acres to be affected by the proposed sewer separation and would include approximately 24,600 linear feet of new pipe. About 36,000 linear feet of new pipe is no longer proposed for sewer separation in the CSO 049 area. The CSO 007 area will include the construction of a 48-inch to 54-inch diameter sanitary sewer to convey the flow from the CSO 049 regulator through the CSO 007 area to the Connecticut River Interceptor. The diameter of the pipe has increased to account for the additional flow conveyed as a result of the increase in dry weather flow connection capacity at the CSO 049 regulator. The proponent will provide new drainage pipes to replace under-sized drains in parts of the CSO 007 area. At outfalls 007 and 049, the total annual CSO volume is estimated to increase by 0.45 million gallons (MG) compared to the prior NPC. However, this NPC will still achieve a significant reduction in the existing E. coli bacteria load from CSO to the Connecticut River from these two outfalls. The revised project will save approximately \$12 million over the prior NPC. On March 13, 2008, the EPA approved this change to the project.

As described in the NPC, Phase I, as currently proposed, would proceed prior to the submission of the FEIR, and the proponent has the funding allocated for it in its approved long-term capital budget. Delaying the project until the FEIR has been completed will result in continued water quality degradation from CSO drainage area discharges, and potential penalties from the EPA. The proponent completed the design on June 15, 2008 and will complete construction by May 15, 2011. The proponent has estimated that the proposed Phase I project will eliminate or abate approximately 28 million gallons (mg) per year of existing CSO discharges to the Connecticut River or about 98 percent of the existing E. coli bacteria load from these two outflows in a typical year. The proponent has estimated that this project will cost approximately \$25.5 million.

Further MEPA review is required in the FEIR. I propose to grant the Phase I Waiver in a separate Draft Record of Decision (DROD). The impacts of Phase I of the project will be incorporated into the assessment of overall impacts for the project in the Final EIR.

December 24, 2008

Date



Ian A. Bowles

Comments received:

AECOM Water, 12/3/08

SWSC, 12/3/08

PVPC, 12/8/08

MassDEP/WERO, 12/10/08

CRWC, 12/15/08

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IAB/WTG