



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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DEVAL L. PATRICK
Governor

MAEVE VALLELY BARTLETT
Secretary

DAVID W. CASH
Commissioner

July 8, 2014

Mr. Vincent Barletta
TLA-Holbrook LLC
40 Shawmut Road
Canton, Massachusetts 02021

RE: DETERMINATION OF ADMINISTRATIVE INCOMPLETENESS

Application No. BWPSW01
Site Suitability Report for a New Site Assignment
Transmittal Number: #X254488

AT: TLA-Holbrook LLC Municipal Solid Waste Transfer Station
3 Phillips Road and 6 Phillips Road
Holbrook, Massachusetts 02343

Facility No. 558259

Dear Mr. Barletta:

The Massachusetts Department of Environmental Protection, Solid Waste Management Section ("MassDEP"), has completed its Administrative Review of the permit application ("Application") listed above and determined that the application is administratively incomplete.

The application was submitted on your behalf by Woodard & Curran of Dedham, Massachusetts, and received by MassDEP on June 18, 2014. MassDEP is reviewing the application under the provisions of 310 CMR 16.00, Site Assignment Regulations for Solid Waste Facilities.

TLA-Holbrook LLC proposes to construct and operate a 1000 ton-per-day municipal solid waste transfer station at 3 Phillips Road in Holbrook, Massachusetts.

MassDEP has assigned Report Number 133-003-A to this permit application.

The application consists of the document entitled:

**Site Suitability Report
For A
New Site Assignment
3 Philips Road
Holbrook, Massachusetts
June 16, 2014**

Based on its Administrative Review, MassDEP has determined that the following information must be submitted to complete the required elements of the Application

- 1) Application Attachment 1 Section III A, page 9 includes a statement regarding Agricultural Land and references the MassGIS website database. The MassGIS databases reviewed to form the negative determination were not cited or shown in the Legend on Figure 5. The Application must include complete backup information for all determinations.
- 2) Application Appendix C includes Drawing C-100, the Site Layout Plan, that indicates that most of the proposed railroad tracks are within the 500 foot setback distance required between the waste handling area and residences. By definition, "Handling Area means an area use for the processing, storage, transfer or treatment of solid waste, excluding weigh stations or access roads". The Application should include a discussion of this aspect of the project to demonstrate if/how the regulatory setback criterion is met.
- 3) Application Attachment 1 Section II C, page 7 states that the waste handling area is not in the Zone I of a Public Water Supply and refers to Figure 2, the Water Resources Site Plan. This plan does not list Zone I areas in the index or show any Zone I areas on the plan. Zone I's should be listed on the plan index whether or not they exist in the area to demonstrate that the database includes no Zone I's.
- 4) Application form page 8 of 42, Section I.H.3 refers to Figure 2 in Appendix C as the Water Resources Site Plan. In addition to the information shown on the plan, Section H-3 recommends that the riverfront areas, floodplains, and private water supply wells be shown. The narrative on page 6 of Attachment 1 indicates that a portion of the area proposed to be site assigned is in the flood plain and riverfront areas. These are not shown on the plan legend.

Section I.H.3 also recommends that the scale of the map be no larger than one inch equals 200 feet. A revised plan is recommended.

- 5) Application form page 9, Section I.H.4 refers to Figure 5 in Appendix C as the Land Use Site Plan. This plan is listed as the Water Supply Protection Areas Map in the index for Attachment C. Not all the land uses listed in Section I.H.4 are indicated on the plan index

such that the Plan cannot be used to determine if these items exist in the area. In addition the plan attempts to illustrate too many features on one plan to allow proper identification of each feature. All required criteria should be listed on the plan index whether or not they exist in the area. The number of criteria on any one plan should be limited to prevent undue overlap of criteria identifiers.

Section I.H.4 also recommends that the scale of the map be no larger than one inch equals 200 feet. A revised plan is recommended.

- 6) Application form page 27, Section III.C requires the Applicant to contact the National Heritage and Endangered Species Program ("NHESP") of the Massachusetts Division of Fisheries and Wildlife to obtain information and documentation needed to respond to the questions in Section III.C. The Applicant stated in Attachment 1-Section III.C, page 11 that the NHESP reviewed the EENF and did not disagree with the conclusion that there are no federally protected plants or animals in the vicinity of the Site as confirmed in Appendix C, Figure 4. The Application did not include any backup documentation for this statement. The NHESP should be directly contacted for the most current information. The Division of Fisheries and Wildlife should be contacted for a determination regarding Wildlife Management Areas.
- 7) Application Attachment 1 Section II C.5, page 7 addresses the sensitive receptor criterion but does not reference a site plan. The Application includes a Site Layout Plan as Drawing C-200 in Attachment C. As show on Drawing C-200, the residential drop-off area is mostly located within 500 feet of a residence (house #370). Application Attachment 1, section 1.0 states the residential drop-off area will be use for residents to unload residential waste, yard waste and bulky items. The Application should discuss if/how the location of the waste handling area within the residential drop-off area meets the sensitive receptor 500 foot setback criterion.
- 8) The waste handling areas are not defined on Drawing C-200, the Site Layout plan. The drawing should indicate all waste handling areas as defined at 310 CMR 16.02. In addition, a 500 foot offset line should be shown to clearly illustrate the required set back from the waste handling area as define in 310 CMR 16.02.
- 9) Application Attachment 1 part II C.6, page 8 addresses the Riverfront Area criterion and states that the residential drop-off area is within the 200 foot Riverfront Area. The Application should discuss if/how the location of the waste handling area within the residential drop-off area meets the Riverfront Area setback criterion.
- 10) Application Attachment 1 part II C.7, page 8 addresses the required two-foot separation to groundwater criterion and discusses historical monitoring well data. In addition, a Groundwater Contour Plan was submitted. Backup data for the groundwater elevations used to develop the groundwater contours was not submitted. There is no discussion as to how the December 4, 2012 data used to create the groundwater contours represents the maximum high groundwater. There is no discussion or design details for the floor elevation for the transfer trailers and/or any floor drain piping.

- 11) Application Attachment 1, Section III B, page 10 addresses pedestrian safety but limits the discussion to on-site pedestrians. The Applicant should discuss the safety of pedestrians in the vicinity of the facility exit onto Route 139. The discussion should include but not necessarily be limited to the presence or lack of sidewalks on each side of route 139, the presence or lack of painted crosswalks at the exit onto Rite 139, the distance nearest traffic light with pedestrian controls. If such safety features do not exist, the Applicant should demonstrate that the area is not frequented by pedestrians due to the lack of attractions by pedestrians i.e. stores, etc., or the Applicant should make recommendations and commitments to improve the current conditions. The Applicant should specifically address the likelihood of children to be in the area considering the locations of any schools to which children walk or bus stops to which they walk and at which they stand.
- 12) Application Attachment 1, Section III I, page 19 addresses areas previously used for solid waste disposal and states the Applicant has received permission from MassDEP to relocate the fence enclosing the Baird & MaGuire Site. The Applicant should submit documentation to this effect.
- 13) Appendix L of the Application included MassDEP's June 10, 2014, Approval of the Conceptual Zone II Delineation but did not include the approved plan showing the delineation for comparison with the submitted Water Resources Site Plan. The Conceptual Zone II Delineation plan should be submitted as the source of backup information for the Zone II delineation. It should be noted that, to date, MassGIS has not updated its files to reflect the June 10, 2014, approval.

Should there be any questions, please contact MassDEP at the letterhead address or telephone me at (508) 946-2847 or Dan Connick at (508) 946-2884. Any correspondence regarding this matter should reference Transmittal Number #X254488.

Very truly yours,

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Mark Dakers, Chief
Solid Waste Management Section

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cc: Massachusetts Department of Public Health
Bureau of Environmental Health Services
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Boston, MA 02108

cc: Town of Holbrook Board of Health
50 N. Franklin Street
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