



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
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August 10, 2018

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Ricketts Pond Business Park
PROJECT MUNICIPALITY : Carver and Plympton
PROJECT WATERSHED : Taunton River
EEA NUMBER : 15883
PROJECT PROPONENT : RBPB, LLC
DATE NOTICED IN MONITOR : July 11, 2018

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

Project Description

As described in the ENF and a revised site plan provided on July 24, 2018, the project involves the construction of 19 buildings with a total gross floor area (GFA) of approximately 114,318 square feet (sf) on a parcel with six lots. Ten of the buildings will be occupied by light industrial uses, including warehouse/storage space and accessory office space. The other nine buildings will be constructed as self-storage units. The project also includes the construction of an approximately 1,120-foot (ft) long roadway, private water wells and septic systems for each lot, a stormwater management system, utilities, driveways and 144 parking spaces.

Project Site

The project site is an approximately 43.7-acre parcel straddling the Carver/Plympton town line. It is bordered to the northwest by Route 44, to the southwest by Spring Street, to the southeast by Ricketts Pond and to the west by a large ground-mounted solar photovoltaic (PV) generating facility. Low-density residential neighborhoods are located to the south and east of Ricketts Pond and the solar PV facility. The site is owned by the Massachusetts Department of Transportation (MassDOT).

The site is generally undeveloped and undisturbed. The site is almost entirely wooded, except for an area that was previously cleared and regraded. It varies in topography from a high point of 200 ft North American Datum of 1988 (NAVD 88) at the southwestern corner of the site to approximately 126 ft NAVD 88 adjacent to Ricketts Pond. None of the wetland resource areas associated with the pond extend onto the project site.

The ENF included a Section 106 Effect Finding prepared by MassDOT that included an assessment of cultural resources at the site. The assessment was based on an intensive archaeological survey of the site prepared by the Proponent. The Massachusetts Historical Commission (MHC) concurred with MassDOT's finding that the transfer of the property is unlikely to result in any effect on significant historic or archaeological resources.

Environmental Impacts and Mitigation

The project will alter 21.17 acres of land, increase impervious area by 9.95 acres, generate 608 average daily trips (adt), construct 144 parking spaces, consume 2,636 gallons per day (gpd) of water and generate 2,636 gpd of wastewater. Measures to avoid, minimize and mitigate project impacts include maintaining 33.75 acres of open space, limiting impervious area to more than 65 ft away from Ricketts Pond in accordance with the Town of Carver's Wetland Protection Bylaw, and construction of a stormwater management system to reduce pollutants in runoff and maintain pre-development peak discharge rates and volumes. According to the ENF, the stormwater management system will be designed to meet the requirements of the Massachusetts Department of Environmental Protection's (MassDEP) Stormwater Management Standards (SMS).

Jurisdiction and Permitting

The project is undergoing MEPA review and requires preparation of an ENF pursuant to 301 CMR 11.03(1)(b)(2) because it requires a State Agency Action and will create five or more acres of impervious area. The project requires a Vehicular Access Permit and a Land Transfer from MassDOT.

The project will require an Order of Conditions (OOC) from the Carver Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP. It will require a National Pollutant Discharge Elimination System (NPDES) Stormwater General Permit from the United States Environmental Protection Agency (EPA).

Because the project requires a Land Transfer, MEPA jurisdiction is broad in scope and extends to those aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Review of the ENF

The ENF described existing site conditions, provided a project description and plans, and compared environmental impacts of the Preferred Alternative to alternative designs. It identified the project's impacts and identified mitigation measures. During the review period, the Proponent provided additional information about management of common roadways and infrastructure. Lots with more than one building will be organized as a condominium association and a similar association will be established for the site as a whole. This ownership structure will ensure the maintenance of roadways, stormwater management and other utilities.

Alternatives Analysis

The ENF compared two alternatives to the Preferred Alternative. The Maximum Building Coverage alternative would construct buildings on 25 percent of the site as allowed by the Town of Carver's Spring Street Innovation Zoning District. This alternative would include approximately 475,000 sf of uses similar to those of the Preferred Alternative. It would add over 20 acres of impervious area, generate 2,500 adt, use approximately 11,000 gpd of water and generate 11,000 gpd of wastewater. A Residential Development alternative would construct 500 units of affordable housing in accordance with M.G.L. Chapter 40B and would require a Comprehensive Permit from the Carver Zoning Board of Appeals. The project would include approximately one million square feet of development, add 20 acres of impervious area, generate 4,000 adt, use 100,000 gpd of wastewater and generate 100,000 gpd of wastewater.

The Preferred Alternative will minimize impacts compared to the other alternatives while allowing a level of development to proceed that will meet the project goals. Under the Preferred Alternative, buildings will cover only five percent of the site, impervious area will cover less than 10 acres and the project will generate 608 adt. The project will avoid wetland resource areas and includes the construction of a stormwater management system to treat pollutants and maintain pre-construction peak flow conditions.

Land Alteration

According to the ENF, the project will alter 9.95 acres. At the MEPA site visit on July 25, 2018, the Proponent indicated that over 800,000 cubic yards (cy) of soil will be removed from the site, including 620,000 cy in Carver and 180,000 cy in Plympton. The earth removal permit issued by the Town of Carver limits the volume of material to be removed to 1,000 cy per day; no permit from the Town of Plympton has been sought yet. Based on this rate of earth removal, the Proponent anticipates that full build-out of the site will occur over a five-year period.

Building 6, which will have a curb cut on Spring Street, will be the first building to be constructed. During the review period, the Proponent indicated that the remainder of the project

is likely to be constructed in three phases, with sections of the roadway and adjacent buildings to be constructed in an easterly direction starting at Spring Street. Development of the site in this manner will minimize impacts by regrading and paving only those portions of the site that are ready to be developed. According to MassDOT, the proposed parking supply of 144 spaces may be higher than necessary based on the *Parking Generation Manual (4th Edition)* published by the Institute of Transportation Engineers (ITE). I encourage the Proponent to consider reducing the total number of spaces to be provided or to land bank areas of the site that could be paved and converted to parking spaces if warranted by demand. This approach to site development would further minimize impervious area. In addition, parking demand could be reduced through provision of transit service to the site, as recommended by the Greater Attleboro-Taunton Regional Transit Authority (GATRA).

Wetlands and Stormwater

The ENF included a delineation of wetland resource areas on the site and identified the 100-ft Buffer Zone and 65-ft buffer required by the Carver Wetlands Bylaw within which no impervious surfaces may be added. Portions of four buildings will be located within the 100-ft Buffer Zone and will be reviewed by the Carver Conservation Commission.

The project will increase impervious area by 9.95 acres. A stormwater management system will be constructed that includes Best Management Practices (BMPs), deep sump catch basins, detention/infiltration basins and subsurface infiltration systems. According to the ENF, the stormwater management system will comply with the SMS by maintaining pre-construction peak flow volumes and rates, recharging groundwater, and removing at least 80 percent of the Total Suspended Solids (TSS) from the runoff. I encourage the Proponent to consider incorporating Low Impact Development (LID) features, such as rain gardens, bioretention systems and permeable pavement into the project design to further minimize impacts. The Proponent should consult MassDEP's comment letter regarding the need for registration of the proposed underground infiltration systems through the Underground Injection Control (UIC) program.

Water Supply and Wastewater

The project will be served by private drinking water wells and septic systems on each lot. According to the Proponent, light industrial and self-storage uses are unlikely to employ more than 25 people (based on the sizes of the structures). As noted by MassDEP, any lot, or combination of adjacent lots under common ownership employing more than 25 people, would have to be served by Public Water Supply (PWS) that meets setback requirements and is subject to regulation by MassDEP. All lots will belong to a Business Park Association. If a PWS is necessary, the Business Park Association would be a suitable entity to take responsibility for establishing it. . The site layout provides sufficient space for a buffer around each proposed well that meets PWS setback requirements. In addition, the 20-acre lot in Plympton will have sufficient space to accommodate a drinking water supply well with adequate Zone 1 and Zone 2 setbacks.

Greenhouse Gas (GHG) Emissions

I encourage the Proponent to voluntarily undertake measures to minimize the project's Greenhouse Gas (GHG) emissions. The project includes uses with unconditioned space, such as warehousing and self-storage, that will not require significant heating and cooling; however, electricity use in these areas could be minimized by installing high-efficiency interior and exterior LED lighting. The Proponent may also benefit from installing rooftop solar photovoltaic (PV) systems on the buildings. Incentives available through utility companies and the Commonwealth's SMART program may reduce the cost of installing solar PV systems. The SMART program's Qualified Generator pathway provides the means for the Proponent to benefit from the sale of electricity generated by rooftop PV without the involvement of the tenants of the building.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and demonstrated that the project's environmental impacts will be avoided, minimized and/or mitigated to the extent practicable. Based on the information in the ENF and after consultation with State Agencies, I find that no further MEPA review is required at this time. Remaining issues can be addressed through the local, state and federal permitting and review processes. The Proponent should consult with the MEPA office if project changes are proposed. Furthermore, if any proposed changes increase the overall site impervious area to more than 10 acres, additional MEPA review in the form of an EIR may be required.



August 10, 2018

Date

Matthew A. Beaton

Comments received:

07/31/2018 Massachusetts Department of Transportation (MassDOT)
 07/31/2018 Greater Attleboro-Taunton Regional Transit Authority
 08/01/2018 Massachusetts Department of Environmental Protection (MassDEP) – Southeast Regional Office (SERO)

MAB/AJS/ajs



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

July 31, 2018

Matthew Beaton, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Carver/Plympton: Ricketts Pond Business Park - ENF
(EEA #15883)

ATTN: MEPA Unit
Alex Strysky

Dear Secretary Beaton:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Environmental Notification Form for the Ricketts Pond Business Park project in Carver and Plympton, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

cc: Jonathan Gulliver, Administrator, Highway Division
Patricia Leavenworth, P.E., Chief Engineer, Highway Division
Neil Boudreau, Assistant Administrator of Traffic and Safety Engineering
Mary Joe Perry, MassDOT District 5 Highway Director
Old Colony Planning Council
Southeastern Regional Planning and Economic Development District
Greater Attleborough Taunton Regional Transit Authority
Department of Planning and Community Development, Town of Carver
Planning Board, Town of Plympton
PPDU Files



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

MEMORANDUM

TO: David Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E, Manager
Public/Private Development Unit

DATE: July 31, 2018

RE: Carver/Plympton – Ricketts Pond Business Park: ENF
(EEA #15883)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the Ricketts Pond Business Park project in Carver and Plympton. The 43.7-acre site, which is currently undeveloped, is proposed to be developed as a four-lot subdivision comprised of mixed-use office/storage buildings as well as self-storage buildings. A total of approximately 114,318 square feet of building will be constructed. An approximately 1,120 linear foot roadway would be constructed from Spring Street south of the Route 44 on-ramp/off-ramp to provide access to the proposed buildings and infrastructure.

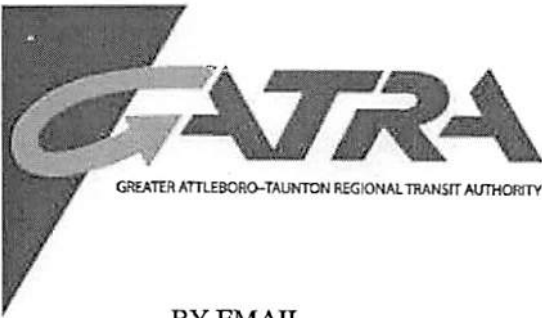
According to the ENF, the development is expected to generate 608 unadjusted vehicle trips per day, and will include 144 parking spaces. The project will require a MassDOT Vehicular Access Permit as Spring Street is a state-owned roadway. The project does not meet MEPA review thresholds based on transportation.

The ENF includes a brief transportation section noting that the trips generated by the project will have a negligible impact on existing traffic operations on Spring Street and Route 44. As presented in the ENF, trip generation was calculated based on the Institute of Transportation Engineers (ITE)'s *Trip Generation Manual* (10th Edition) trip rates for Land Use Codes (LUC) 110- General Light Industrial. Accordingly, the site is expected to generate 608 daily weekday trips. We note that the proposed parking supply is higher than the ITE *Parking Generation Manual* (4th Edition) rates for a development of this size and encourage the Proponent to reduce the parking supply as it sees fit.

Sidewalks are present along the project site frontage on Spring Street. The ENF includes conceptual plans for proposed site improvements. Any proposed mitigation within the state highway layout and all internal site circulation must be consistent with a Complete Streets design approach that provides adequate and safe accommodations for all roadway users, including pedestrians, bicyclists, and public transit riders. Guidance on Complete Streets design is included in the MassDOT *Project Development and Design Guide*. Where these criteria cannot be met, the proponent should provide justification, and should work with the MassDOT Highway Division to obtain a design waiver.

MassDOT recommends that no further environmental review be required based on transportation issues. The details of the above and any other access-related issues can be addressed during the permitting process for the project. If you have any questions regarding these comments, please contact me at (857) 368-8862 or Michael Clark at (857) 368-8867.

of 10/21/18
2018-08-15 11:21:00 AM
2018/08/15 11:21:00 AM



BY EMAIL

July 31, 2018

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
MEPA Analyst: Page Czepiga, EEA #15883
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Project Name: Ricketts Pond Business Park, Carver & Plympton, MA
EEA # 15883 – Environmental Notification Form (ENF)

Dear Secretary Beaton:

The Town of Carver is a member of the Greater Attleboro Taunton Regional Transit Authority (GATRA). GATRA provides demand response and medical transportation bus service along the Route 44 corridor in conjunction with the local Council on Aging.

The proposed development would appear to have some impact for service requests from GATRA for public transportation services and we would be willing to examine our options and mutually explore our interests in that regard with the project developer.

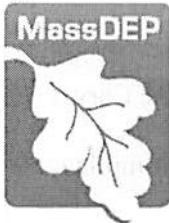
GATRA is asking for the proponent to work with GATRA to establish a transit friendly environment on the development site. On-site roadways should be developed in order for demand response vehicles to enter the site and circulate in an efficient manner. If shelters are constructed, the facility should meet all appropriate ADA guidelines and path of travel for individuals with disabilities to access the bus service.

GATRA would be willing to meet with the developer to ensure a transit friendly development is constructed and easily accessed by GATRA vehicles if warranted.

Sincerely,

Francis J. Gay
Administrator

cc: Bradley C. McKenzie, P.E.
Paul Mission, SRPEDD
Ron Morgan, GATRA
rkm



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

July 31, 2018

Mathew A. Beaton,
Secretary of Environment and Energy
Executive Office of Environmental Affairs
ATTN: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: ENF Review EOEEA #15883 –
CARVER.Ricketts Pond Business Park at 0
Spring Street

Dear Secretary Beaton,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Environmental Notification Form (ENF) for the Ricketts Pond Business Park, located at 0 Spring Street, Carver, Massachusetts (EOEEA #15883). The Project Proponent provides the following information for the Project:

Ricketts Pond Business Park is proposed as a 4 lot subdivision comprised of mixed-use office/storage buildings as well as self-storage buildings. The project will be permitted in accordance with all applicable local and state regulations. The project consists of the construction of a roadway totaling approximately 1,120 linear feet to provide access to the proposed buildings and infrastructure. A single building will be located directly off of Spring Street, and a driveway approximate 350 ft. in length will connect the proposed 1,120 ft. roadway to the storage building on the Plympton lot. The lots proposed under this development range in size from 129,250 s.f. to 1,081,238 s.f. The lot frontage ranges from approximately 225 feet to 1,118 feet with an average of approximately 577 feet. A 65 foot no impervious buffer from the limit of bordering vegetated wetland for Ricketts Pond is located along the eastern boundary of the property in accordance with the Carver Wetlands Protection Bylaw. In addition, approximately 33.75 acres have been designated as open space.

The project will access utility infrastructure located on South Street including electric, telephone and cable television. The lots will be served by individual subsurface sewage disposal systems and the proposed buildings will utilize private wells for water service. All stormwater management facilities will be designed to mitigate peak rates of runoff, provide renovation of stormwater and meet the requirements of the DEP's Stormwater Management Regulations, and no connections to the municipal storm sewer service located on Spring Street will be required.

Bureau of Water Resources Comments:

Wetlands and Waterways. The project is located within the buffer zone to wetlands with no new impervious areas proposed within 65 feet of the wetland. As a result of the proximity of the proposed

project to wetlands, this project will require the submission of a Notice of Intent (NOI) with the Carver Conservation Commission and MassDEP and the receipt of a valid Order of Conditions under the Wetlands Protection Act prior to the commencement of work. The NOI should demonstrate compliance with the Massachusetts Stormwater Standards.

Underground Injection Control. The Proponent details the uses of a stormwater management system to collect, convey, treat and control stormwater discharges associated with the Project. The bioretention areas proposed all have perforated under drainage pipes that appear to be for the purpose of collecting excess stormwater rather than for discharging. Therefore, it would appear that the bioretention areas (LIDs) would not be considered UIC wells. However, the stormwater infiltration structure labeled “Recharge Field (RF-1)” is a UIC well and would require the submittal of a UIC registration application.

The Proponent should be aware that the conveyances of stormwater through underground stormwater infiltration structures are subject to the jurisdiction of the MassDEP *Underground Injection Control (UIC)* program. These structures must be registered with MassDEP UIC program through the submittal of a *BRP WS-06* UIC Registration application through MassDEP’s electronic filing system, eDEP. The statewide UIC program contact is Joe Cerutti, who can be reached at (617) 292-5859 or at joseph.cerutti@state.ma.us . All information regarding on-line (eDEP) UIC registration applications may be obtained at the following web page under the category “Applications & Forms”:
<http://www.mass.gov/eea/agencies/massdep/water/drinking/underground-injection-control.html>

Drinking Water Comments: A Public Water Supply (PWS) under 310 CMR 22.00 is defined as a water system that has at least 15 service connections or serves an average of at 25 people or more per day at minimum of 60 days per year. The construction of this business park on speculation and the nature of the businesses and the number of occupants are unknown at this time. If any lot were to meet either of these criteria, the owner would be required to submit a PWS new source approval application. If abutting lots were under the same ownership, the combined occupancy of those lots would be used to determine if the water system met the definition of a PWS.

The Department is satisfied that the proposal requires the creation of a Business Park Association with the responsibility of providing a PWS source whenever that source qualifies under 310 CMR 22.00.

In addition to the above requirement for a Business Park Association, a cursory review of the above mentioned plan reveals that each lot, as designed, has the space to locate a well that complies with the minimum Zone I protective radius (100 foot for up to 1,000 gallons per day) for a PWS well. This would be a solution for locating a water supply well when one or more lots require a PWS well because they would comply with certain the Zone I requirements that require ownership and control of the entity operating the PWS. This solution would also not require the added expense of locating a new well, creating a new distribution system and entering into an agreement with the owner of lot 6 regarding the ownership and control of the Zone I area.

Assuming that the Project occupants will not require the registration of a PWS regulated well, the owners of the lots should consider a cross connection/back flow prevention requirement as part of the association to protect the occupants from contamination of the drinking water supply.

Massachusetts Well Driller Requirements. Pursuant to 310 CMR 46.03, wells installed within the

Commonwealth are required to be drilled by a Massachusetts Certified well driller who shall provide immediate field supervision as specified by the municipal Board of Health (BOH) and submit a well completion report to MassDEP and the BOH within 30 days of well completion. Boards of Health may have additional requirements.

Construction Stormwater Permit. The Project construction activities are scheduled to disturb 9.95 acres of land and therefore, may require a NPDES Stormwater Permit for Construction Activities. The Proponent can access information regarding the NPDES Stormwater requirements and an application for the Construction General Permit at the EPA website: https://www.epa.gov/sites/production/files/2017-07/documents/cgp_flow_chart_do_i_need_a_permit2.pdf

Drinking Water Program. The Proponent proposes to install a well for its drinking water needs. It's unclear from the ENF on the number of its employees. To determine if this project qualifies as a public water supply, the Proponent is advised to consult with the flow diagram at this MassDEP website <https://www.mass.gov/files/documents/2016/08/uc/privpubl.pdf> to determine if the Proponent qualifies as either a private or a federally regulated public water supply. Federally regulated water supplies are administered by MassDEP's Drinking Water Program.

Bureau of Waste Site Cleanup Comments:

NPC #15381 – Based upon the information provided, the Bureau of Waste Site Cleanup (BWSC) searched its databases for disposal sites and release notifications that have occurred at or might impact the proposed project area. A disposal site is a location where there has been a release to the environment of oil and/or hazardous material that is regulated under M.G.L. c. 21E, and the Massachusetts Contingency Plan [MCP – 310 CMR 40.0000].

There are no listed MCP disposal sites located at or in the vicinity of the site that would appear to impact the proposed project area. Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer (Oliver)

at: http://maps.massgis.state.ma.us/map_ol/oliver.php Under “Available Data Layers” select “Regulated Areas”, and then “DEP Tier Classified 21E Sites”. MCP reports and the compliance status of specific disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite>

The Project Proponent is advised that if oil and/or hazardous material are identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP, if necessary. A Licensed Site Professional (LSP) should be retained to determine if notification is required and, if need be, to render appropriate opinions. The LSP may evaluate whether risk reduction measures are necessary if contamination is present. The BWSC may be contacted for guidance if questions arise regarding cleanup.

Bureau of Air and Waste Comments:

Air Quality. Construction and operation activities shall not cause or contribute to a condition of air pollution due to dust, odor or noise. To determine the appropriate requirements please refer to:

310 CMR 7.09 Dust, Odor, Construction, and Demolition

310 CMR 7.10 Noise

Construction-Related Measures. MassDEP requests that the Proponent use construction equipment with engines manufactured to Tier 4 federal emission standards, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, then the Proponent should use construction equipment that has been retrofitted with the best available after-engine emission control technology, such as oxidation catalysts or diesel particulate filters, to reduce exhaust emissions. The Proponent should provide a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece in the subsequent environmental filing.

Massachusetts Idling Regulation. MassDEP requests that the proponent state specifically in the subsequent environmental filing how it plans to prohibit the excessive idling during the construction period. Typical methods of reducing idling include driver training, periodic inspections by site supervisors, and posting signage. In addition, to ensure compliance with this regulation once the Project is occupied, MassDEP requests that the Proponent establish permanent signage limiting idling to five minutes or less at the completed project.

Industrial Wastewater. Any discharge of industrial wastewater (*or medical wastewater, if applicable*) to an on-site sanitary system is prohibited. If any occupant of the project will generate industrial wastewater, MassDEP regulations and permitting may apply.

Industrial Stormwater Permit. The stormwater section of the ENF does not acknowledge that the project may need to file under the EPA NPDES Multi Sector General Permit (Industrial Stormwater) Program for its proposed light industrial buildings.

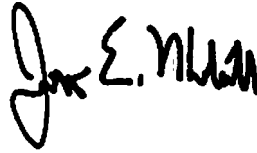
The industrial stormwater program requires permit coverage for a number of specified types of industrial activities. However, when a facility is able to prevent the exposure of all relevant activities and materials to precipitation, it may be eligible to claim no exposure and qualify for a waiver from permit coverage. If you are regulated under the industrial permitting program, you must either obtain permit coverage or submit a no exposure certification form.

Resource Conservation and Recovery Act (RCRA). If any occupant of the project will generate hazardous waste and/or waste oil, that entity must register with the MassDEP or EPA to obtain a permanent identification number for legally generating and managing regulated waste. The Proponent is advised to consult at this MassDEP website <https://www.mass.gov/guides/hazardous-waste-generation-generators> to determine if the Proponent qualifies as a generator of hazardous waste and/or waste oil.

Proposed s.61 Findings

The “Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form” may indicate that this Project requires further MEPA review and the preparation of an Environmental Impact Report. Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the Project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

Very truly yours,



Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

JH/GZ

Cc: DEP/SERO

ATTN: Millie Garcia-Serrano, Regional Director
David Johnston, Deputy Regional Director, BWR
Maria Pinaud, Deputy Regional Director, BAW
Gerard Martin, Deputy Regional Director, BWSC
Jennifer Viveiros, Deputy Regional Director, ADMIN
Rick Rondeau, Chief, Drinking Water, BWR
Gary Makuch, Wetlands and Waterways, BWR
Jeff Gould, Chief, Wastewater Management, BWR
Jim Mahala, Chief, Wetlands and Waterways, BWR
Joseph Cerutti, Underground Inject Control Program, BWR/Boston
David Hill, Wetlands and Waterways, BWR
Allen Hemberger, Site Management, BWSC