

887 Woburn, LLC / Wilmington**FACT SHEET****September 2021****Who they are:**

887 Woburn, LLC (887 Woburn or the Applicant) has submitted an application, category BWP SW01 *Site Suitability*, Application Number: 21-SW01-001-APP (the Application) for the construction of a Construction and Demolition (C&D) Waste handling facility (the Facility) at 887 Woburn Street¹ in Wilmington, Massachusetts (the Site). The Application was prepared and submitted to MassDEP on August 24, 2021 on behalf of the Applicant by Green Seal Environmental, Inc. of Sagamore Beach, Massachusetts.

The proposed project:

As described in the Application, the proposed project would be a new solid waste management facility to receive and process up to 500 tons per day of C&D Waste. A solid waste management facility is an established site or works, and other appurtenances thereto, which is, has been, or will be used for the storage, transfer, processing, treatment or disposal of solid waste including all land, structures and improvements which are directly related to solid waste management activities. Construction and Demolition (C&D) Waste means the waste building materials and rubble resulting from the construction, remodeling, repair or demolition of buildings, pavements, roads or other structures. Construction and demolition waste includes but is not limited to, concrete, bricks, asphalt pavement, masonry, plaster, gypsum wallboard, metal, lumber and wood.

Environmental Compliance History:

A portion of the Site has an extensive industrial history. The Site was formerly used as a pig farm and a salvage/junkyard prior to the 1950's. The Site was later operated by E.C. Whitney & Sons for barrel recycling and salvage activities. Pursuant to the Massachusetts Contingency Plan (MCP), a Licensed Site Professional (LSP) is overseeing work related to historical releases at the Site.² Information related to the Waste Site Cleanup process is available online through the MassDEP's data viewer³ by searching [RTN: 3-1787](#) and RTN: [3-0035035](#). The last document filed is a Permanent Solutions Statement with no conditions. The report states "further response actions to reduce hydrocarbons concentrations in groundwater to or below "background" concentrations is determined to be infeasible due to potential costs, complexity and disruption to commercial activities at the Site."

¹ The Site consists of parcels identified as 867, 885 and 889 Woburn Street; a total of 3.37 acres.

² RTN# 3-1787 and RTN# 3-0035035.

³ <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite>

The current and proposed operations:

The project activities include construction of a new solid waste handling and processing building (approximately 37,000 square feet), truck weighing facility, rail yard area, and associated driveways and stormwater management system. The proposed Facility would receive and process up to 500 tons per day (tpd) of C&D Waste, with an annual maximum of 182,500 tons per year,⁴ for transfer off-site for disposal or further processing. Based on information provided during the Massachusetts Environmental Policy Act (MEPA) process and further discussion with the Applicant, the Facility will conduct waste processing operations using equipment and elevated picking stations for the separation of recoverable materials (including, but not limited to, wood, metal, asphalt/brick/concrete rubble, and clean gypsum wallboard).⁵ As proposed, the project would include renovation of an existing railroad spur at the Site with the intention of transferring certain outbound materials by rail. The Facility is proposed to operate 7 days per week, 24 hours a day, but would be subject to any limitations established by the Town of Wilmington (e.g., the Planning Board or Board of Health). The Application includes additional information regarding the proposed operation.

MEPA:

An Environmental Notification Form for the proposed project was submitted for review under MEPA. On October 9, 2020, the Secretary of Energy and Environmental Affairs issued a certificate that determined the project required a mandatory Environmental Impact Report (EIR). On April 30, 2021, the Secretary issued a certificate that determined that the Final Environmental Impact Report (FEIR) adequately and properly complied with MEPA requirements and the project may proceed to permitting.

MassDEP Permits:

Solid waste facilities are regulated by a number of Massachusetts laws and regulations, including Massachusetts General Law Chapter 111, §§ 150A and 150A½, and Massachusetts regulations, 310 CMR 16.00, *Site Assignment Regulations for Solid Waste Facilities* (the Site Assignment Regulations), and 310 CMR 19.000, *Solid Waste Management Regulations*.

More specifically, the Applicant will be required, pursuant to 310 CMR 16.00, to seek and obtain a determination of Site Suitability from MassDEP and a Solid Waste Site Assignment for the site from the local board of health. The purpose of the site assignment process is to determine if a parcel of land is suitable to use as a site for a solid waste management facility. Site assignment is an integrated state and local review process which provides opportunity for public involvement. Site assignments are ultimately granted by the board of health, following MassDEP's determination of site suitability.

⁴ Based on 7 days of operation per week, and 500 tons of waste received per day.

⁵ The MassDEP waste disposal bans can be found in Section 19.017 of the agency's Solid Waste Management Facility Regulations at 310 CMR 19.000. "Waste bans" are restrictions on the disposal, transfer for disposal and contracting for disposal of certain hazardous items and recyclable materials at solid waste facilities in Massachusetts.

When a waiver from the site suitability criteria is required, the Applicant must submit a waiver request simultaneously with its site suitability application. The Applicant has requested a waiver from the waste handling area set-back from the property boundary (75 feet on the north, east and west sides, where 100 feet is required by the criteria). The waiver request will be reviewed as part of MassDEP's determination of the site suitability. The procedures and criteria for waiver requests are set forth at 310 CMR 16.40(6). Such waivers are issued by the Commissioner of MassDEP.

Public Involvement and Impact of this Activity:

MassDEP will be reviewing the current Application for the proposed site, pursuant to the regulations at 310 CMR 16.00 (Site Suitability Determination).

Pursuant to the regulations, the Applicant provided a copy of the Application to the Wilmington Board of Health. As the City of Woburn is located within ½ mile of the proposed site assigned area, the Applicant also provided a copy of the Application to the Woburn Board of Health ("abutting board of health").

The application materials can be viewed by accessing the EEA ePLACE public access portal at: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>

1. Once you click on the above link, choose the orange "SEARCH all online authorizations" button.
2. Enter "887 Woburn" into either the Site Name / Owner field or the Licensee field.

Viewers can download the "supporting documents" by clicking the file and using the Save As option.

Prior to issuing a decision on the suitability of the site, MassDEP will solicit and accept written comments from the public. These comments will be reviewed and considered prior to issuing a final decision on the suitability of the site. Comments may be submitted online through ePLACE. In addition, written comments may be submitted to: Mark Fairbrother, MassDEP Northeast Regional Office, 205B Lowell Street, Wilmington, MA 01887, or by email to: mark.fairbrother@mass.gov. All comments regarding the assignment of this site should reference the Application Number: 21-SW01-0001-APP.

If a positive determination on site suitability is issued by MassDEP, the Town of Wilmington Board of Health will hold a public hearing and issue a decision to grant or deny a Site Assignment. Additional MassDEP permitting is required prior to construction of the facility (Authorization to Construct) and prior to operating the facility (Authorization to Operate).

MassDEP Outreach:

The local Site Assignment process provides for public comment/input (including a public hearing held by the Board of Health). Outreach regarding MassDEP's Site Suitability Report and Draft Decision on the Facility Permit and Authorization to Construct (ATC) will include:

- The regulations require the Applicant to publish a public notice of the application for Site Suitability and to provide for public comment to MassDEP;
 - Notice will be published in the Wilmington Town Crier and the *Environmental Monitor* (same as MEPA process).
 - Applicant has also committed to publish additional notice in the Woburn Daily Times Chronicle.
- The ATC permit process also provides for a public comment process; and
- In the event the municipality has a population of greater than 15% of residents who do not speak English as their primary language, the Applicant is required to publish an additional notice in a daily or weekly newspaper(s) circulated in that community in the primary language(s) of those residents.

In addition to the opportunities for public comment on Site Suitability and ATC permitting, members of the public will be able to participate and offer comment when the Wilmington Board of Health conducts public hearings during the Site Assignment process as set forth at 310 CMR 16.00.

Any questions or comments pertaining to the Application for Site Suitability should be directed to Mark Fairbrother, Solid Waste Section Chief, Bureau of Air & Waste at: mark.fairbrother@mass.gov.