



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

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

August 5, 2022

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

RE: DRAFT PERMIT APPROVAL WITH CONDITIONS
Application for: BWP SW 05
Application for New or Expanded Solid Waste Management Facility:
Authorization to Construct - Large Handling Facilities
Application No. 21-SW05-0001-APP

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:

An application (“Application”) was received by the Massachusetts Department of Environmental Protection, Solid Waste Management Section (“MassDEP”) on August 13, 2021 and was comprised of a bound document entitled: “TLA – HOLBROOK LLC Authorization to Construct Application BWP SW 05” prepared by Green Seal Environmental, Sagamore Beach, Massachusetts. The Application was submitted on behalf of TLA-Holbrook LLC (“TLA-Holbrook” or “Applicant”) requesting approval to construct a large solid waste transfer station facility (“Facility” or “Transfer Station”) at 3 & 6 Phillips Road in Holbrook, Massachusetts.

MassDEP has completed its Technical Review of the Application and has determined that the application is technically complete. Accordingly, MassDEP has prepared the attached **DRAFT** Permit for Authorization to Construct. Pursuant to the provisions of 310 CMR 19.032, the Applicant, as the proponent of the project, is now required to give Public Notice in accordance with the requirements contained at 310 CMR 19.032(3). Public Notice shall be served by publishing the Public Notice in the legal notice section of a newspaper of general circulation in the area affected by the proposed permit action and by promptly mailing the enclosed Public Notice to the Holbrook Board of Health, the Board of Health of any city or town within ½ mile of the proposed transfer station, and all abutters of the proposed transfer station. MassDEP recommends

that the Applicant publish public notice in English and in applicable foreign languages (Vietnamese, Haitian Creole, Spanish and Mandarin as recommended during the 2017 Site Assignment process and Portuguese as it is included in the Randolph Public School's English Language Learner Department) and publish public notice in available foreign language newspapers circulated in these communities to residents in the Towns of Randolph and Holbrook.

Following the issuance/publication of the Public Notice of the **DRAFT** permit, the Applicant is required to provide MassDEP with documentation that public notice was properly and sufficiently given. This should include submitting a dated newspaper clipping of the legal notice as published in a newspaper of general circulation in the locality of the proposed permit action and proof that notice was provided to the Board(s) of Health and abutters.

A listing of abutters from the Holbrook Assessors' office and copies of registered mail receipts should be submitted to MassDEP when the Public Notice is sent to abutters. Copies of signed registered return receipts should be submitted to MassDEP if/when available.

MassDEP will accept written comments from all interested persons for a period of thirty (30) days following the date Public Notice is first published in the newspaper. During the thirty (30) day Public Comment Period, interested persons shall be entitled to review the "DRAFT" permit decision and send comments to MassDEP regarding the proposal.

Once MassDEP has been provided proof that public notice was properly and sufficiently given, MassDEP will review the comments and render a decision regarding the proposed action. Predicated on such comments, MassDEP's final permit decision will include written responses to any major comments and may include modified language in order to address any such comments. In the event MassDEP is unable to sufficiently address the public comments based on the information contained in the record file regarding the proposal at the time of issuance of this "DRAFT" permit, MassDEP will solicit additional information from the Applicant in order to sufficiently respond to the comments. In the event, MassDEP or the Applicant are unable to sufficiently address any such comments, MassDEP reserves the right to modify or rescind this DRAFT determination in its final decision regarding the proposal.

Any correspondence regarding this matter should reference Application No. 21-SW05-0001-APP.

Should there be any questions, please contact MassDEP at the letterhead address or telephone me at (508) 946-2847 / Mark.Dakers@mass.gov or Alison Cochrane at (617) 694-3441 / Alison.Cochrane@mass.gov.

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

ec: Town of Holbrook
Board of Health - kgoldrick@holbrookmassachusetts.us
Town Administrator - GHanley@holbrookmassachusetts.us
Board of Selectmen, Chair - DLee@holbrookmassachusetts.us

Town of Randolph
Town Manager - bhoward@randolph-ma.gov
Board of Health - gcody@randolph-ma.gov

Town of Avon
Board of Selectmen, Chairperson - srose@avon-ma.gov
Town Administrator - genos@avon-ma.gov
Board of Health - kwaldron@avon-ma.gov

Green Seal Environmental, l.bugay@gseenv.com

U.S. Environmental Protection Agency, White.Kimberly@epa.gov

DEP-Boston
ATTN: G. Cooper
J. Fischer
D. Allen

DEP-SERO
ATTN: S. Pickering
M. Dakers

PUBLIC NOTICE OF DRAFT SOLID WASTE FACILITY PERMIT

**TLA-Holbrook LLC
Proposed Transfer Station
3 & 6 Phillips Road
Holbrook, Massachusetts 02343**

**Authorization to Construct a
Large Solid Waste Handling Facility**

Notice is hereby given, pursuant to M.G.L., Chapter 111, Section 150A and Section 150A1/2, that the Massachusetts Department of Environmental Protection, (“MassDEP”) has prepared a **DRAFT** Authorization to Construct (“ATC”) permit for a large solid waste handling facility (the “Facility” or “Transfer Station”) to be located on two parcels at 3 & 6 Phillips Road, Holbrook, Massachusetts (the “Site”). The entire Site consists of approximately 14.85-acres of land that has been site-assigned for solid waste management activities by the Holbrook Board of Health. The proponent is TLA-Holbrook LLC, 40 Shawmut Road, Canton, MA, 02021

TLA-Holbrook LLC is proposing to construct a large solid waste transfer facility that would handle up to 1,000 tons per day of municipal solid waste (“MSW”). The proposed Facility is intended to accept MSW from typical waste collection vehicles of all sizes and sort and consolidate the waste into rail cars or 100-yard truck trailers for transport to various locations throughout the country for disposal and/or recycling. The proposed Facility will include a 22,300 square foot Transfer Station building, weigh scales, a residential drop-off area, a scale house and office building, and railroad tracks. Working areas of the Facility will be paved. Stormwater run-off from the Facility will be collected in a series of catch basins, detention basins, and underground stormwater detention galleries, treated, and discharged to an on-Site culvert.

The proposed maximum daily materials acceptance rate is 1,000 tons per day. TLA-Holbrook proposes to operate the Facility to accept waste on Monday through Friday from 6:00 AM to 5:30 PM and Saturdays from 6:00 AM to 1:00 PM, and conduct clean-up operations until 9:00 PM Monday through Friday and until 4:00 PM on Saturdays.

The application and DRAFT Permit may be reviewed at **(INSERT THE PUBLIC LOCATION(S) AND HOURS WHERE THE APPLICATION MAY BE REVIEWED)**. The application and DRAFT permit may be reviewed online at: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>. Scroll down on the first screen and in the “Site Name/Location Name” box type “TLA Holbrook” and then click on the orange “Search” box the bottom of the page. Under “Record Type”, select the “Application” file with the 8/13/2021 “Application Date”. The application, supporting documents, and DRAFT permit will appear in blue links. Click on one link at a time to access each separate document.

MassDEP will accept written comments regarding the proposed handling Facility for a period of thirty (30) days from the date of publication of this Notice. Public Comments can be submitted to MassDEP in one of three ways: **mailed** to Mark Dakers, Chief, Solid Waste Management Section,

Massachusetts Department of Environmental Protection, 20 Riverside Drive, Lakeville, MA 02347; or **emailed** to “sero.solidwaste@mass.gov”; or **submitted online** at <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>. If you would like to receive regular email updates from MassDEP regarding the status of the TLA-Holbrook project, please send a request to alison.cochrane@mass.gov.

FACT SHEET

**TLA-Holbrook LLC
Proposed Transfer Station
3 & 6 Phillips Road
Holbrook, Massachusetts 02343**

Authorization to Construct a Large Solid Waste Handling Facility

The Massachusetts Department of Environmental Protection, (“MassDEP”) has prepared a **DRAFT** Authorization to Construct (“ATC”) permit for a large solid waste handling facility (the “Facility”) to be located on two parcels at 3 & 6 Phillips Road, Holbrook, Massachusetts (the “Site”). The entire Site consists of approximately 14.85-acres of land that has been site-assigned for solid waste management activities by the Holbrook Board of Health. The proponent is TLA-Holbrook LLC, 40 Shawmut Road, Canton, MA, 02021

TLA-Holbrook LLC is proposing to construct a large solid waste transfer facility that would handle up to 1,000 tons per day of municipal solid waste (“MSW”). The proposed Facility is intended to accept MSW from typical waste collection vehicles of all sizes and sort and consolidate the waste into rail cars or 100-yard truck trailers for transport to various locations throughout the country for disposal and/or recycling. The proposed Facility will include a 22,300 square foot transfer station building, weigh scales, a residential drop-off area, a scale house and office building, and railroad tracks. Working areas of the Facility will be paved. Stormwater run-off from the Facility will be collected in a series of catch basins, detention basins, and underground stormwater detention galleries and discharged to an on-site culvert.

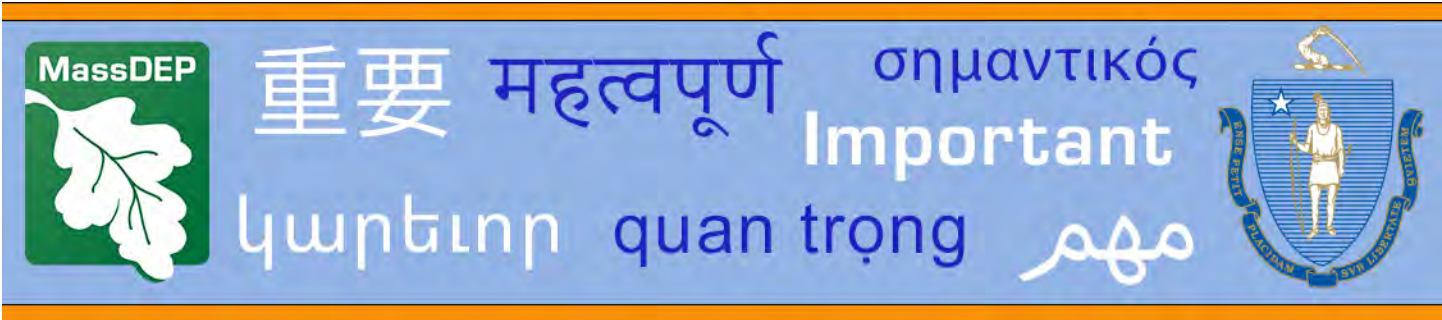
The allowable maximum daily materials acceptance rate is proposed to be 1,000 tons per day. TLA-Holbrook proposes to operate the Facility to accept waste on Monday through Friday from 6:00 AM to 5:30 PM and Saturdays from 6:00 AM to 1:00 PM, and conduct clean-up operations until 9:00 PM Monday through Friday and until 4:00 PM on Saturdays.

MassDEP has reviewed the submitted information and has determined that the proposal complies with the requirements established at 310 CMR 19.000 concerning the construction of a large solid waste handling facility.

The following numbered paragraphs explain the basis for the conditions in the **DRAFT** Authorization to Construct permit for the proposed handling facility:

1. Standard Department Language (self-explanatory) regarding notification of commencement of construction.
2. Standard Department Language (self-explanatory) regarding construction of the Facility compliance with permit.

3. Language referring the Applicant to the applicable requirements of 314 CMR 18.00: *Industrial Wastewater Holding Tank and Container Construction, Operation, and Record Keeping Requirements* to ensure compliance with these regulations.
4. Standard Department Language (self-explanatory) regarding requirements for pre-construction submittals.
5. Standard Department Language (self-explanatory) regarding requirements for nuisance conditions.
6. Standard Department Language (self-explanatory) regarding compliance with other laws and regulations.
7. Standard Department Language (self-explanatory) regarding MassDEP's rights to inspect the Facility.
8. Standard Department Language (self-explanatory) regarding MassDEP's right to protect the environment and the public's health.
9. Standard Department Language (self-explanatory) regarding the limitations of the permit as well as the Applicant's compliance responsibilities.
10. Standard Department Language (self-explanatory) regarding the requirement to submit a construction certification report and an Authorization to Operate application and receive written MassDEP approval prior to operating the Facility. This condition also requires additional review of proposed operations with the Holbrook Board of Health.
11. Standard Department Language (self-explanatory) regarding the requirement for the establishment of a Financial Assurance Mechanism.



Communication for Non-English-Speaking Parties

English

This document is important and should be translated immediately. If you need this document translated, please contact MassDEP's Diversity Director at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido de inmediato. Si necesita este documento traducido, comuníquese con la Directora de Diversidad de MassDEP al número de teléfono que aparece más abajo.

Português Portuguese

Este é um documento importante e deve ser traduzido imediatamente. Se precisar de uma tradução deste documento, entre em contato com o Diretor de Diversidade da MassDEP nos números de telefone listados abaixo.

繁體中文 Chinese Traditional

本文件非常重要，應立即翻譯。如果您需要翻譯這份文件，請用下面列出的電話號碼聯絡 MassDEP 多元化負責人。

簡體中文 Chinese Simplified

本文件非常重要，應立即翻譯。如果您需要翻譯這份文件，請用下面列出的電話號碼與 MassDEP 的多元化主任聯繫。

Ayisyen Kreyòl Haitian Creole

Dokiman sa-a se yon bagay enpòtan epi yo ta dwe tradwi l imedyatman. Si ou bezwen dokiman sa a tradwi, tanpri kontakte Direktè Divèsite MassDEP la nan nimewo telefòn endike anba.

Việt Vietnamese

Tài liệu này rất quan trọng và cần được dịch ngay lập tức. Nếu quý vị cần dịch tài liệu này, xin liên lạc với Giám đốc Đa dạng của MassDEP theo các số điện thoại ghi dưới đây.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះគឺសំខាន់ហើយគួរត្រូវបានបកប្រែភ្លាមៗ។ ប្រសិនបើអ្នកត្រូវការឱ្យគេបកប្រែឯកសារនេះ សូមទាក់ទងមកនាយកផ្នែកពិពិធកម្មរបស់ MassDEP តាមលេខទូរស័ព្ទខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Kel dokumentu li é impurtáti y debe ser traduzidu imediatamenti. Se bu meste di kel dokumentu traduzidu, pur favor kontakta Diretor di Diversidádi di MassDEP na numeru abaxu indikadu.

Contact **Glynis L. Bugg, Acting Diversity Director/Civil Rights 857-262-0606**
Massachusetts Department of Environmental Protection
One Winter Street, Boston MA 02108

TTY# MassRelay Service 1-800-439-2370 • <https://www.mass.gov/environmental-justice>
(Version revised 7.22.2022) 310 CMR 1.03(5)(a)

Русский Russian

Это важный документ, и он должен быть безотлагательно переведен. Если вам нужен перевод данного документа, пожалуйста, свяжитесь с директором по вопросам многообразия (Diversity Director) компании MassDEP по указанному ниже телефону.

العربية Arabic

هذه الوثيقة مهمة ويجب ترجمتها على الفور. إذا لزم الأمر، يرجى الاتصال بمدير التنوع PMassDE على رقم الهاتف المدرج أدناه.

한국어 Korean

이 문서는 중요하고 즉시 번역해야 합니다. 이 문서의 번역이 필요하시다면, 아래의 전화 번호로 MassDEP의 다양성 담당 이사에 문의하시기 바랍니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է և պետք է անմիջապես թարգմանվի:
Եթե Ձեզ անհրաժեշտ է այս փաստաթուղթը թարգմանել, դիմեք MassDEP-ի բազմազանության տնօրենին ստորև նշված հեռախոսահամարով:

فارسی Farsi Persian

این سند مهم است و باید فوراً ترجمه شود.
اگر به ترجمه این سند نیاز دارید لطفاً با مدیر تنوع و عدالت اجتماعی MassDEP به شماره تلفن ذکر شده در زیر تماس بگیرید.

Français French

Ce document est important et devrait être traduit immédiatement. Si vous avez besoin de ce document traduit, veuillez communiquer avec le directeur de la diversité MassDEP aux numéros de téléphone indiqués ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und sollte sofort übersetzt werden. Sofern Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an den Diversity Director MassDEP unter der unten aufgeführten Telefonnummer.

Ελληνική Greek

Το παρόν έγγραφο είναι σημαντικό και θα πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του παρόντος εγγράφου, παρακαλούμε επικοινωνήστε με τον Διευθυντή Διαφορετικότητας του MassDEP στους αριθμούς τηλεφώνου που αναγράφονται παρακάτω.

Italiano Italian

Comunicazione per parti che non parlano inglese. Questo documento è importante e dovrebbe essere tradotto immediatamente. Se avete bisogno di questo documento tradotto, potete contattare il Direttore di Diversità di MassDEP al numero di telefono elencato di seguito.

Język Polski Polish

Dokument ten jest ważny i powinien zostać natychmiast przetłumaczony. Jeśli potrzebujesz przetłumaczonej wersji dokumentu, prosimy o kontakt z dyrektorem ds. różnorodności MassDEP pod jednym z numerów telefonu wymienionych poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए. यदि आपको इस दस्तावेज़ का अनुवाद करने की आवश्यकता है, तो कृपया नीचे सूचीबद्ध टेलीफोन नंबरों पर मासडेपस डायवर्सिटी के निदेशक से संपर्क करें.

Contact **Glynis L. Bugg, Acting Diversity Director/Civil Rights 857-262-0606**
Massachusetts Department of Environmental Protection
One Winter Street, Boston MA 02108

TTY# MassRelay Service 1-800-439-2370 • <https://www.mass.gov/environmental-justice>
(Version revised 7.22.2022) 310 CMR 1.03(5)(a)



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August 5, 2022

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RE: DRAFT PERMIT APPROVAL WITH CONDITIONS
Application for: BWP SW 05
Application for New or Expanded Solid Waste Management Facility:
Authorization to Construct - Large Handling Facilities
Application No. 21-SW05-0001-APP

AT: TLA-Holbrook LLC Municipal Solid Waste Transfer Station
3 Phillips Road and 6 Phillips Road
Holbrook, Massachusetts 02343
Facility No. 558259
Authorization No. [to be inserted in final decision]

Dear Mr. Barletta:

The Massachusetts Department of Environmental Protection (“MassDEP”) has completed its Technical Review of the permit application (“Application”) listed above and determined that the Application is technically complete. Accordingly, MassDEP hereby issues this **DRAFT** approval of the TLA-Holbrook LLC Application to construct a large solid waste transfer facility (“Facility” or “Transfer Station”) at 3 & 6 Phillips Road in Holbrook, Massachusetts, subject to the “conditions” herein. The Transfer Station is located on approximately 14.85-acres of land that has been site-assigned for solid waste management activities by the Holbrook Board of Health (the “Site”).

I. SUBMITTALS:

TLA-Holbrook LLC is proposing to construct a large solid waste transfer facility (“Facility” or “Transfer Station”) at 3 & 6 Phillips Road in Holbrook, Massachusetts. The proposed Facility would handle up to 1,000 ton per day of municipal solid waste (“MSW”).

The Application was submitted on behalf of TLA-Holbrook, LLC (“TLA-Holbrook” or the “Applicant”) by Green Seal Environmental, LLC of Sagamore Beach, Massachusetts on August 13, 2021. The Application consisted of the following:

- A. Authorization to Construct Application (BWP SW 05), received by MassDEP consisting of the permit application form, a project narrative, prior project related correspondence and approvals, a Waste Ban Compliance Plan, an Operations and Maintenance Plan, a Closure Plan and Financial Assurance Mechanism Cost Estimate, an updated Traffic Impact Study, and twenty-four (24) site plan sets including forty-three (43) drawings regarding construction of the Facility and the associated rail spur.
- B. Supplemental information prepared by Green Seal, consisting of a response to MassDEP’s Notice of Technical Deficiencies and Request for Information issued April 4, 2022, received by MassDEP on May 27, 2022. The supplemental information included an updated plan set.
- C. Supplemental information submitted via email by Green Seal received by MassDEP on July 11 and July 15, 2022.

The Application was submitted electronically via the Massachusetts Executive Office of Energy and Environmental Affairs ePlace Portal at <https://permitting.state.ma.us/CitizenAccess/> on August 13, 2021 and payment was completed on August 24, 2021. The full application was uploaded on October 19, 2021.

The Application and DRAFT permit may be reviewed online at: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/> using the “Site Name” TLA Holbrook Transfer Station and the “Search” tab. Under “Record Type”, select the “Application” file with the August 13, 2021 “Application Date”.

II. APPLICATION REVIEW AND DECISION PROCESS:

The Application was submitted and reviewed pursuant to the provisions of 310 CMR 19.029(1): *Applicable Permit Procedures* and 310 CMR 19.032: *Permit Procedure for a New Facility or Expansion Permit Application*. According to these review procedures, MassDEP shall prepare a DRAFT Decision and cause Public Notice to be given. Accordingly, a DRAFT Decision is being issued under a cover letter that requires the Applicant to publish a Public Notice establishing a 30-day public comment period.

MassDEP reviewed the Application pursuant to 310 CMR 19.000: Solid Waste Regulations, 310 CMR 19.038; *Review Criteria for a New or Expanded Facility Permit or permit Modification*, and MassDEP’s Landfill Technical Guidance Manual, May 1997 (the “Manual”).

III. PROJECT BACKGROUND:

MEPA

On January 25, 2013, the Secretary of the Executive Office of Energy and Environmental Affairs (EEA) issued a Certificate on the Environmental Notification Form that was Noticed in the Environmental Monitor on November 21, 2012, regarding the proposed TLA-Holbrook Transfer Station. The Secretary determined that preparation of an Environmental Impact Report and further MEPA review was not required. On April 14, 2017, and September 6, 2018, EEA issued correspondence regarding a Request for Advisory Opinion stating that additional MEPA review was not warranted for minor modifications to the facility design.

Site Assignment

On September 10, 2015, MassDEP issued a Negative Decision on Site Suitability based on its review of the Site Suitability Application (BWP SW 01, Transmittal No. #X254488) citing insufficient information regarding 6 criteria related to traffic and status of a nearby sensitive receptor.

On January 29, 2016, MassDEP issued a “Final Report on Suitability for Site Assignment after Reconsideration” based on its review on supplemental information provided as part of a motion for reconsideration filed by the Applicant and determined the site is not suitable for the proposed transfer station due to the existence of a nearby sensitive receptor.

On April 25, 2017, TLA-Holbrook submitted a new Site Suitability Application (BWP SW 01, Transmittal No. # X273727) with a revised facility design. On August 11, 2017, MassDEP issued a Site Suitability Report to the Holbrook Board of Health with a positive determination based on its review of the Site Suitability Application (BWP SW 01, Transmittal No. #X273727).

On November 8, 2017, the Holbrook Board of Health granted Site Assignment for 14.85 acres of land upon which the proposed Transfer Station is to be constructed and on January 2, 2019, the Board of Health issued a Minor Modification to the Site Assignment for changes to the facility design. Both the Site Assignment and the Minor Modification were appealed, and the appeals were dismissed by the Norfolk County Superior Court in 2020.

IV. PROJECT DESCRIPTION:

TLA-Holbrook is proposing to construct a 1,000 ton per day solid waste Transfer Station that will handle Municipal Solid Waste (“MSW”) located at 3 Phillips Road and 6 Phillips Road in Holbrook Massachusetts on two site-assigned parcels totaling 14.85 acres. Employee parking will be located on a third parcel located at 1 Phillips Road. The proposed Facility is located in an industrial park in the Holbrook Industrial District. The proposed Facility is abutted to the north by industrial properties; to the south by the Baird & McGuire Superfund Site; to the east by the Cochato River and industrial properties; and to the west by the MBTA commuter rail line and commercial and residential properties.

The proposed Facility will include a 22,300 square foot (“s.f.”) Transfer Station building, weigh scales, a residential drop-off area, a scale house and office building, a railroad yard, and access roads and parking areas.

Facility and Building Design

TLA-Holbrook proposes to construct a 22,300 s.f. Transfer Station building located on the 3 Phillips Road parcel. The proposed Transfer Station building will be 194 feet by 115 feet and is a metal framed building with reinforced concrete foundations and a concrete floor. The 22,300 s.f. waste handling building has a peak height of 40 feet and consists of a 18,575.5 s.f. tipping floor and a 3,734.5 s.f. rail car loading bay. The rail car loading bay is situated on the westerly side of the building approximately 4-feet below the elevation of the tipping floor to help facilitate the loading of waste into rail cars by mobile equipment. There is a 500 s.f. addition to the waste handling building that will be used as a utility room to house the utilities and fire suppression system controls.

The building will include 16-foot-high push walls on the east side and south side to facilitate the handling and storage of MSW and an 8-foot-high push wall on the west side to facilitate the loading of waste onto rail cars. The building walls include translucent wall panels on all sides to allow ambient light into the building. Interior and exterior lights will be provided to facilitate safe operations at all times. The building will be equipped with an atomized water misting system and rooftop ventilation fans with air filters to control fugitive dust from Transfer Station building.

The proposed Transfer Station building is designed with three (3) 22-foot wide by 28-foot-high fast closing roll-up doors located on the north side for use by waste hauling vehicles and one (1) 19-foot wide by 22.5-foot-high fast closing roll-up door at the northwest corner of the building for rail cars or outbound live floor tractor trailers. The tipping floor is designed to slope from an elevation of 136.4 feet at the south end of the building to 136.0 feet at the entrance doors at the north end. The finished floor level of the rail car loading is approximately four feet lower at an elevation of 132.0 feet.

Trench drains will be constructed at the four (4) roll-up doors to capture any liquids draining from the waste materials. Liquids will be collected in the trench drain system and will flow by gravity through piping to a sump and then pumped into an above-ground holding tank located west of the Transfer Station building. The lowest point of the trench drain system is the bottom of the sump with an elevation of 129.8 feet. There are fifteen groundwater monitoring wells located on the Site and the Applicant used recent and historic monitoring well data to determine the site-specific groundwater elevation at each monitoring well. The Applicant used the Frimpter Method to convert the site-specific groundwater elevations to maximum high groundwater and develop groundwater contours. The Applicant estimated the maximum high groundwater in the area where the sump is located to be at elevation 127.8 feet, which meets the requirement for a 2-foot separation between the waste handling area and the maximum high groundwater level. 2. The groundwater elevation under the proposed residential drop-off area is approximately 127.4 feet compared to a proposed surface elevation of approximately 131.5 feet in the area of the MSW compactor, which meets the requirement for a 2-foot separation between the waste handling area and the maximum high groundwater level.

The above-ground holding tank will be a 2,000 gallon, double-wall, aboveground wastewater storage tank. The tank will be equipped with a visual and audible automatic high-level alarm set at 75 percent of maximum capacity and an auto-shutoff alarm that will trigger the sump pump to shut down at 90 percent of maximum capacity. The tank will be pumped out as necessary and disposed of at an appropriate wastewater treatment facility. As a condition of this permit the storage tank must meet

the requirements of 314 CMR 18.00: Industrial Wastewater Holding Tank and Container Construction, Operation, and Record Keeping requirements (refer to Condition No. 3).

The Facility will utilize the existing entrance at Phillips Road with one entrance and exit separated by an island controlling the flow and direction of traffic. All working areas of the Facility will be paved, and a circular roadway will provide access to all areas of the Facility. The circular access road includes four inbound lanes and a fire lane for emergency personnel. There are two gravel access roads on either side of the transfer station for emergency vehicles.

Three weigh scales are included in the design: an inbound scale, an outbound scale, and a rail scale located in the rail loading bay within the Transfer Station building.

The Facility will include a residential drop-off area that will provide recycling containers and an MSW compactor for Town of Holbrook residents. The residential drop-off area is centrally located within the circular access road. There will be resident parking in the drop-off area that is isolated from general truck traffic at the Facility. The design includes a noise barrier wall installed next to the MSW compactor in the residential drop-off area to mitigate noise from the operation of the compactor. The noise barrier wall will be at least 10 feet in height and will be at least as long and as wide as the compactor unit.

The design includes a vegetated earthen berm that will be constructed on the western side of the Site between the new rail spurs and the western property boundary. The berm is intended to provide a physical and visual barrier for noise mitigation. The berm is approximately 9-feet in height and 205-feet long and is designed to extend an existing natural berm for a total barrier length of 350 feet. The berm will be constructed of common fill and will be vegetated for soil stabilization and landscaped with additional trees.

Utilities

There is existing aboveground electrical, sewer, and water utilities along Phillips Road that the Facility will connect to. Utility improvements will include installation of an 8-inch water main from the Site entrance to the transfer station utility to service fire suppression and dust/odor control misting systems within the building. Fire hydrants will be installed in the area of the Transfer Station building and near the residential drop-off area. New water service will be installed to the office building and scale house. A new sewer connection will be installed from an existing manhole at Phillips Road to new manholes located on-site to service the on-site bathrooms within the office building and scale house. The sewer line will extend to the Transfer Station building where it will be stubbed and capped at the finished floor. New underground electrical service will be installed on-site from an existing utility pole at Phillips Road. Applicable permits will be obtained from the Town or the utility service prior to construction.

Rail Design

A rail spur with five (5) tracks will be constructed from the existing railroad line to service the Facility. Rail service will be provided by CSX, which operates freight service on the existing main railroad line owned by the MBTA to the west of the Site. One (1) track will access the Transfer Station building through the rail car access door at the northwest corner of the building. This track will be

constructed at an elevation 4 feet below the tipping floor to facilitate loading rail cars with mobile equipment (e.g., front end loader and excavator). The Facility is designed to fully enclose two (2) 90-foot rail cars within the building. Four (4) tracks will be constructed along the western property line to store full cars waiting for rail service and empty cars waiting to be filled.

Stormwater

The Site has minimal existing stormwater infrastructure. Stormwater run-off from the proposed Facility will be collected, conveyed, and treated in a series of deep sump catch basins, trench drains, manholes and deep sump manholes, grass-lined swales, a lined detention basin, oil and grit separators, a hydrodynamic separator (Contech Jellyfish Filter Separator), a sand filter, underground stormwater detention galleries and ultimately flow to an on-site culvert that discharges overland in the northeast corner of the Site approximately 30 feet west of the Cochato River. The Applicant submitted an Order of Resource Area Delineation and an Order of Conditions issued by the Holbrook Conservation Commission on February 12, 2019, and June 15, 2020, respectively. The Applicant states that stormwater controls proposed for the Site were designed in accordance with the Massachusetts Stormwater Handbook.

There is a recorded Notice of Activity and Use Limitation (“NAUL”) for 3 Phillips Road due to the presence of the Baird & McGuire Superfund Site. TLA-Holbrook is responsible to ensure that the proposed stormwater system complies with all requirements of the NAUL (refer to Condition No. 6).

Facility Operation

The proposed Facility is intended to accept MSW delivered by truck for sorting and transfer onto rail cars and/or 100-yard truck trailers for transport to various locations throughout the country for disposal and/or recycling. With the exception of the proposed solid waste and recyclable materials drop-off area for Holbrook residents, all handling of solid waste will occur within the interior of the 22,300 s.f. Transfer Station building.

The Applicant is proposing to accept MSW at a maximum waste acceptance of 1,000 tons per day (“tpd”) and an annual capacity of 312,000 tons per year. TLA-Holbrook proposes to operate the Facility to accept waste on Monday through Friday from 6:00 AM to 5:30 PM and Saturdays from 6:00 AM to 1:00 PM and conduct clean-up operations until 9:00 PM Monday through Friday and until 4:00 PM on Saturdays.

MSW will typically enter the Facility within “packer” trucks and “live-floor” trailer trucks that have collected MSW from commercial and residential sources. All trucks delivering MSW will proceed counterclockwise around the circular access road to the inbound scale located on the west side of the Site. The scale house attendant will record incoming loaded vehicle weights and empty vehicle weights and monitor inbound and outbound vehicles to ensure inbound loads are adequately covered and outbound vehicles are clean and free of litter. When there is an available tipping bay, facility personnel will direct trucks back into one of the three bays for the tipping of waste within the Transfer Station building. If the bays are occupied, the scale house attendant will direct trucks to queuing areas to wait. Trucks inside the building will tip their waste, depart the building, and

proceed counterclockwise around the circular access road to the outbound scale located on the east side of the Site.

MSW will be tipped, spread, inspected for waste ban materials and for other unacceptable materials in accordance with the Facility Waste Ban Compliance Plan and the Facility Operations and Maintenance Plan. After proper removal of banned and other unacceptable materials, MSW will be loaded into water-tight containers on rail cars for transfer for offsite disposal. The Transfer Station building's footprint allows for the simultaneous loading of two rail cars within the rail car loading bay at one time and the building is designed in order that trucks can be loaded from either the dedicated rail car loading bay or from the tipping floor.

All tipping, handling, and loading onto rail cars will be done within the fully enclosed building. The Facility will be equipped with fast-closing doors and will operate with doors closed except when trucks or rail cars are moving in and out of the building. The building interior will be equipped with a fine atomized misting system mounted on the roof and around the truck access doors and operated in conjunction with an odor counteractant to control odor and dust in the building. All MSW will be loaded into rail cars on the day the waste is received to minimize the generation of odor within the building. The Holbrook Board of Health Site Assignment decision specifies requires that the tipping floor be cleared of MSW every day and no more than 25 tons of MSW remains on the floor overnight with notification to the Holbrook Board of Health if more than 10 tons remain on the floor overnight.

Waste material will typically be transported from the Facility by rail, however, the Applicant states that trucks may be used for the removal of wastes when necessary, based on economics, logistical, or other reasons. Recyclable materials kick-sorted from waste loads may be transported off-site by trucks.

TLA-Holbrook expects to maintain approximately 14 rail cars at the Facility for normal operations. CSX has informed TLA-Holbrook that it will service the Site after the MBTA service is complete in the late evening or early morning hours Monday through Friday.

Residents utilizing the residential drop-off area will enter the Site and turn left into the centrally located residential drop-off area. Following use of the residential drop-off area, residents will exit the drop-off area and depart from the Site with the flow of traffic. The residential drop-off area is restricted to only Holbrook residents, will not permit trailers or commercial waste, and is only open during non-peak hours of 9:00 am to 5:00 pm Monday through Friday and 6:00 am to 1:00 pm on Saturdays.

Pursuant to Condition 10 of the Board of Health Site Assignment, the Facility shall utilize an electric train mover (and not one powered by a diesel engine) to reduce on-site emissions and sound generation as part of its Facility operations.

Pursuant to Condition 22 of the Board of Health Site Assignment, the Facility shall install odor scrubbers and air filters in the ceiling ventilation.

Additional construction and operating restrictions imposed by the Holbrook Board of Health are detailed in the November 8, 2017, Site Assignment and January 2, 2019, modified Site Assignment and in the Application narrative.

V. **APPROVAL WITH CONDITIONS:** [as it would appear in any decision following the draft permit comment period]

As a result of its review, MassDEP has determined that the Application is satisfactory and in accordance with the authority granted pursuant to M.G.L., C. 111, §150A hereby [to be inserted in final decision] the construction of the proposed Facility as submitted in the Application subject to the following conditions:

1. **Notification:** The Applicant shall notify MassDEP when the construction begins in order that periodic inspections can be scheduled.
2. **Construction:** Construction shall proceed in compliance with MassDEP regulations, requirements and as required by this permit. There shall be **no** deviation from the approved plan without prior written approval from MassDEP.
3. **Liquid Storage Tank:** The storage tank proposed for collection of the Facility solid waste contact water runoff shall meet all applicable requirements of 314 CMR 18.00: *Industrial Wastewater Holding Tank and Container Construction, Operation, and Record Keeping Requirements*.
4. **Pre-Construction Submittals:** Prior to construction, as noted below, the Applicant shall submit the following to MassDEP for its review and approval at least 30 days prior to commencing construction activities, unless otherwise approved by MassDEP:
 - a) Prior to construction of the Transfer Station building: final building framing plans, prepared, signed and stamped by a Massachusetts Registered Professional Engineer.
 - b) Prior to excavation within the NAUL area: the NAUL excavation approval.
 - c) Prior to construction of the residential drop-off area: a site plan that depicts the design of the residential drop-off area in detail.
5. **Nuisance Conditions:** During the construction process, odors, dust, erosion, noise or other nuisance conditions shall be kept to a minimum and shall be prevented from creating a threat to human health and safety and the environment. In the event a nuisance condition develops, abatement measures shall be implemented immediately.
6. **Local, State, and Federal Requirements:** The Applicant shall fully comply with all applicable local, state and federal laws, regulations and policies, by-laws, ordinances and agreements. Applicable federal regulations or requirements include, but are not limited to, 29 CFR Part 1910, OSHA standards governing employee health and safety in the workplace, and any restrictions included in the Notice of Activity and Use Limitation (NAUL) issued by the EPA.

7. Right to Inspect: MassDEP shall have the authority to, without prior notice, periodically enter and inspect the Facility, the Transfer Station construction, and any relevant records to determine compliance with applicable regulations and the terms and conditions of this permit.
8. Reservation of Rights: MassDEP reserves the right to modify this ATC permit in order to protect the public health, safety, welfare or the environment.
9. Permit Limitations: This issuance of this ATC permit is limited to the construction of a large solid waste handling facility (“Transfer Station”) at 3 & 6 Phillips Road in Holbrook, Massachusetts and does not relieve the Applicant from complying with all other applicable regulations and requirements Federal, State or local that may be required concerning the proposal.
10. Authorization to Operate: Upon completion of the construction of the Transfer Station, the Applicant shall submit a BWP SW 06 “Authorization to Operate” (“ATO”) permit application to MassDEP for review and approval. The ATO permit application shall include certified “as-built” construction drawings, quality assurance/quality control data, and written certification from the supervising engineer attesting that the Transfer Station was constructed in accordance with all applicable regulations, requirements, and the approved design and is ready for operation. The ATO permit application and all associated plans shall be stamped by a Massachusetts Professional Engineer. The Applicant shall not operate the Transfer Station without written approval of the ATO Application by MassDEP.
11. Financial Assurance Mechanism: The Applicant provided a financial assurance estimate for closure of the Transfer Station. The ATO application must include proof that a MassDEP approved Financial Assurance Mechanism has been provided to MassDEP’s Boston office.

VI. RIGHT OF APPEAL:

[as it would appear in any decision following the draft permit comment period]

Right to Appeal

This decision has been issued pursuant to M.G.L. Chapter 111, Section 150A, and 310 CMR 19.032. Pursuant to 310 CMR 19.032(6)(d)(1), any person aggrieved by the final permit decision may file an appeal for judicial review of said decision in accordance with the provisions of M.G.L. Chapter 111, Section 150A and M.G.L. Chapter 30A not later than thirty days following the date of issuance of the final permit decision to the Applicant. The standing of a person to file an appeal and the procedures for filing such appeal shall be governed by the provisions of M.G.L. c. 30A. Unless the person requesting an appeal requests and is granted a stay of the terms and conditions of the decision by a court of competent jurisdiction, the decision shall remain effective or become effective in accordance with 310 CMR 19.032(6)(b), i.e. the date of issuance.

Notice of Appeal

Any aggrieved person intending to appeal the final permit decision to the Superior Court shall provide notice of intention to commence such action. Said notice of intention shall include the Authorization Number [to be inserted in final decision] and shall identify with particularity the issues and reason why it is believed the final permit decision was not proper. Such notice shall be

provided to the Office of General Counsel of MassDEP and the Regional Director for the regional office which processed the permit. The appropriate addresses to send such notices are:

Office of General Counsel
Department of Environmental Protection
One Winter Street
Boston, MA 02108

Millie Garcia-Serrano, Regional Director
Department of Environmental Protection
20 Riverside Drive
Lakeville, MA 02347

No allegation shall be made in any judicial appeal of a final permit decision unless the matter complained of was raised at the appropriate point in the administrative review procedures established in 310 CMR 19.000, provided that matter may be raised upon showing that it is material and that it was not reasonably possible with due diligence to have been raised during such procedures, or that matter sought to be raised is of critical importance to the public health or environmental impact of the permitted activity.

Should there be any questions, please contact MassDEP at the letterhead address or telephone me at (508) 946-2847 or Alison Cochrane at (617) 694-3441. Refer to Authorization Number [to be inserted in final decision] in any correspondence to this office regarding this project.

Very truly yours,

DRAFT

Mark Dakers, Chief
Solid Waste Management Section

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Town Administrator - GHanley@holbrookmassachusetts.us
Board of Selectmen, Chair - DLee@holbrookmassachusetts.us

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