

NYR 2004-024



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May 7, 2004

**CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
EXPANDED ENVIRONMENTAL NOTIFICATION FORM**

PROJECT NAME : Yankee Nuclear Power Station Site Closure Project  
PROJECT MUNICIPALITY : Rowe  
PROJECT WATERSHED : Deerfield River  
EOEA NUMBER : 13247  
PROJECT PROPONENT : Yankee Atomic Electric Company  
DATE NOTICED IN MONITOR : April 4, 2004

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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).

As described in the Expanded Environmental Notification Form (EENF), the Yankee Nuclear Power Station Site Closure Project in Rowe plans to perform several activities that have potential impacts to wetlands. These four activities and associated impacts include: the removal of PCB-impacted sediments, which is planned near the East and West Storm Drain Outfalls; the decommissioning of the circulating water intake structure and pipe; the decommissioning of the circulating water discharge structure; and the removal of Southeast Construction Fill Area (SCFA), an on-site construction and demolition debris landfill, and to re-use the native soils for fill on or off the site.

The project is undergoing review pursuant to Section 11.03 (3)(b)(1)(b) and 11.03 (3)(b)(1)(d) of the MEPA regulations, because the project involves the alteration of 500 or more linear feet of bank along a fish run or inland bank and alteration of more than 5,000 square feet of Bordering Vegetated Wetlands and requires state permits. The project will require several permits and filings with the Department of Environmental Protection (DEP), including a Chapter 91 License and a 401 Water Quality Certificate, a MCP filing-Phase IV for Waste Site Cleanup, a Corrective

EOEA#13247

EENF Certificate

05/07/04

Action Design Permit and a Beneficial Use Determination under the Solid Waste Program, and an Order of Conditions from the Rowe Conservation Commission.

The proponent is not seeking financial assistance from the Commonwealth for the project. MEPA jurisdiction therefore extends to aspects of the project that are within the subject matter of required state permits and that have the potential to cause significant Damage to the Environment. In this case, MEPA jurisdiction exists over wetland, solid waste, hazardous waste, and endangered species issues.

The Yankee Nuclear Power Station site is located at 49 Yankee Road in the northwestern Massachusetts adjacent to the Vermont state border. The site consist of approximately 1,800-acre property owned by Yankee Atomic Electric Company (YAEC) and portions of an adjacent property to the west owned by USGen New England (USGen NE). The site abuts the eastern shore of the Deerfield River and Sherman Reservoir, adjacent to Sherman Dam. The plant was constructed between 1958 and 1960 and did not change significantly between 1960 and 1992, when the plant was shutdown. In 2001, Yankee constructed an Independent Spent Fuel Storage Installation adjacent to the plant that utilizes a dual-purpose (storage and transport) canister system for storage of spent nuclear fuel.

The Site Closure Project will result in the temporary impact to approximately 6,000 square feet of Bordering Vegetated Wetlands (BVW), 20,000 square feet of impacts to Land under Water (LUW), 50,000 square feet of impacts to Bordering Land Subject to Flooding, 1,600 linear feet of Bank area, and 200,000 square feet of temporary impact to Riverfront Area.

Although the project will affect wetland resources, I will defer the development of appropriate mitigation to the permitting process. The proponent should continue to consult with DEP and with the local Conservation Commission during the permitting process to ensure planning for maximum feasible mitigation for wetland impacts. The proponent should plan and construct any BVW replacement area in accordance with the "Massachusetts Inland Wetland Replication Guidelines" (DEP March 2002). After consultation with DEP, I note that it may be possible that the wildlife habitat restoration required could largely be accomplished in-situ. ~~The proponent should provide documentation to DEP on methodology used to provide wildlife habitat restoration which meets DEP's General Performance Standards at 310 CMR 10.60(3). I encourage the proponent to strive to replace altered indigenous substrates within the Bank and LUW as closely as possible, and enhance any areas composed of non-indigenous substrates. The proponent should also continue discussions with DEP regarding the Riverfront Area of the Deerfield River/Sherman Reservoir and Wheeler Brook. The Riverfront Area contains areas degraded prior to August 7, 1996, which qualifies for consideration by DEP under "Redevelopment of Previously Developed Riverfront Area" at 310 CMR 10.58(5).~~

In order to remediate the PCB release at the Yankee Nuclear Power Station under the MCP filings-Phase IV for Waste Site Cleanup, the proponent should continue to attempt to meet

EOEA#13247

EENF Certificate

05/07/04

the Phase IV Remedy Implementation plan deadline outlined in DEP comment letter to MEPA.

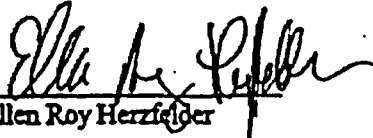
Based on information from the Massachusetts Natural Heritage & Endangered Species Program (NHESP) this site is near or within actual habitats of the Bald Eagle, which is listed as "Endangered", and the Bristly Black Currant and Spring Salamander, which are both listed as species of "Special Concern". After consultation with the NHESP and review of the EENF, I am concerned about potential adverse effects of this project on Spring Salamander habitat and potential impacts on the Bristly Black Currant. I encourage the proponent to consult with NHESP concerning these potential adverse effects and also on the limited documentation included in the EENF on the Longnose Suckers, another species of "Special Concern". Detailed plans of the project areas should be submitted to NHESP for review including the proposed work, actual work site limit lines and details of the restoration of all disturbed areas.

The proponent has included in the EENF preliminary information of an archaeological reconnaissance survey evaluating a 2,200-acre survey area. It should be noted that the Yankee Rowe Nuclear Power Station site area is adjacent to the Sherman Development Hydroelectric Power Facility, which was determined by the Federal Energy Regulatory Commission and the Massachusetts Historical Commission (MHC) to meet the criteria of eligibility for listing in the National Register of Historic Places. The preliminary information in the EENF indicates fourteen historical archaeological sites and specific areas of the property were identified as archaeologically sensitive. I note that if specific ground-impacting activities were to be proposed within the archaeologically sensitive areas information should be submitted to the MHC in the early planning stages.

I encourage the proponent to consult MHC about future plans for the extensive land holdings of this site that could affect significant historic and archaeological resources. While there are no definitive plans for the approximately 1,800-acre property owned by Yankee Atomic Electric Company (YAEC) after the site closure is completed, I encourage the proponent to consult with the Executive Office of Environmental Affairs and its land holding agencies, the host community, and local land trusts regarding potential conservation opportunities and any future reuse of the property.

The review of the ENF has served to adequately disclose the potential impacts and mitigation associated with this project. Based on a review of the EENF, the comment letters, and consultation with the relevant public agencies, I find that the impacts of the project do not warrant further MEPA review. The proponent can resolve any remaining issues during the permitting process.

May 7, 2004  
Date

  
Ellen Roy Herzfelder

EOEA#13247

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05/07/04

Comments received:

04/23/04	Massachusetts Historical Commission
04/26/04	Department of Environmental Protection, WERO
04/29/04	Division of Fisheries and Wildlife
05/04/04	Response to Comments from Yankee Atomic Electric Company

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