



*Working with you to protect the environment in the Berkshires and beyond*

December 29, 2009

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Please accept these comments from the Berkshire Environmental Action Team (BEAT) on the Interstate Biofuels (EEA# 14501)

**Alternatives Analysis –**

In BEAT 's opinion, this facility is proposed for the wrong location. Almost the entire facility will be in the 200' Riverfront Area. Locating tens of thousands of gallons of oil and methanol within 200 feet of our river is not environmentally sound policy. We believe it is wrong to build this facility on a site that is so long and narrow that 1000 feet of piping along the riverbank is required to get the feedstock to the plant and the product to the storage tanks and train cars. Climate change in the northeast is bringing larger, more intense storms resulting in greater storm surges and increased flooding. We can no longer rely on the 100 year flood occurring on average of once in 100 years. Perhaps we should be revising the 100 year floodplain to the old 500 year flood plain level. Given our changing climate, it is even more foolhardy to locate this facility within 200 feet of our river.

Attached, we are providing three maps of parcels just in Pittsfield that might be more appropriate sites. We did not explore other towns in the county, but we suggest that the proponent should keep looking for a more appropriate site. Here is information on how the attached maps were selected:

The attached maps show parcels that are close to the railroad lines in Pittsfield that were selected because they are in a General Industrial zone, greater than 5 AC, and did not have an estimated building value (potentially vacant although it looks like there is a building on at least one of them).

We are confused in the characterization of the tank fields as finished product by the railroad spur, and feedstock by the existing building. The methanol and pretreated feedstock will be delivered by rail. When this is unloaded, will it be piped from the rail car 1000 feet to the tanks at the other end of the site? Will the finished product be piped directly from the facility to the tanks 1000 feet away by the rail siding? This was not my understanding at the site visit.

Please keep in mind that this site is not only within the 200 foot Riverfront Area, but also in an Area of Critical Environmental Concern. Although no one has sent in a report to the Natural Heritage and Endangered Species Program, that does not mean no rare species use this property – it just means no one has looked for rare species, such as American Bittern or Wood Turtles, on the property. Oil, even vegetable oil, would be disastrous for these species, as it would for most any fish or amphibian. This is the wrong facility for this location.

### **Floodplain**

The proponent has stated that in their latest design, no rail lines will be in floodplain. Please hold them to this promise. If they will be locating either rail or tanks in the floodplain, they should be required to file a Notice of Project Change.

### **Stormwater Improvements**

BEAT disagrees with the characterization of the area where the centennial mill was demolished as already developed. It is currently permeable. The tanks will not be permeable.

All stormwater from impervious surfaces on the site should be infiltrated to the maximum extent possible. Runoff from the driveway should sheetflow away from the river.

Will stormwater runoff from the tank farms be collected in the diking system and from there sent to the wastewater treatment plant? If not, how will this water be treated?

Between the railroad tracks and the existing driveway, stormwater currently is piped onto the property from the road. This appears to be a location where the proponent could create a forebay and well-designed bioretention area or constructed wetland to treat the stormwater.

### **Parcel Across the River**

BEAT suggests all solid waste be removed from the parcel across the river and a conservation restriction placed on the parcel to ensure that piece of Riverfront Area is left to protect the environmental values that the Rivers Protection Act is supposed to protect.

### **Potential spills**

Please require a diked area not just around the tanks, but also along the tracks where the tanker cars will be parked. If this project goes forward in this location, this will be one of the most important pieces of environmental protection. The dikes must be sufficient to prevent any spill from reaching our river.

### **Require Notice of Project Change**

If the proponent changes plans to locate rail or tanks in the floodplain, a Notice of Project Change should be required. If the proponent cannot obtain an agreement with the Town of Lee Waste Water Treatment Plant, they should be required to submit a Notice of Project Change to make clear how waste water treatment will be handled.

### **Air Emissions**

The proponent keeps saying there will be no air emissions, the stack is capped, etc. However, the ENF supplemental information lists 4.4 tons per year of emissions. “After the wet scrubber the rate would be less than 1 pound per hour (a maximum of 4.4 tons per year)”. It does not make clear that this is referring to methanol, but we believe that is the case. This seems like very high emissions for a closed loop system, and very different from “no air emissions”.

### **Feedstock**

BEAT is extremely concerned about the feedstock that this facility will use. We ask that the Secretary require a complete life cycle analysis of the fuel based on different feedstocks. The proponent has stated that they will use “waste oil” feedstock. If this is waste oil from Combined Animal Feeding Operations, it is not clean energy. We would like to see a restriction on the feedstock that it be agricultural waste product or previously used oil – such as waste oil from restaurants.

### **Housatonic Railroad**

BEAT is extremely concerned about potential problems with the Housatonic Railroad Company (HRRC). In the past ten years there have been at least four accidents on HRRC tracks that would have resulted in a spill into the river if the cars had been tank cars carrying a liquid and had ruptured. As part of the MEPA process, BEAT would like a detailed accident record for HRRC for the last 10 years entered into the public record.

BEAT is aware of many attempts to require HRRC to stop violating state environmental law by dumping solid waste along their tracks and sometimes even into wetlands. HRRC has stated publicly that they are not subject to state or local laws. We find this total disregard of the environment unacceptable. The proponent should try to work with HRRC to have them remove and properly dispose of their solid waste, both from abutting the proponent’s property, but all along the tracks as well. It is disturbing that rail is seen as the environmentally friendly form of transportation, but HRRC has such an abominable environmental record. We hope all concerned will help pressure HRRC to do the right thing.

If this were to go forward, please require a NPC if the proponent fails to negotiate terms with the Lee Treatment facility and must dispose of their waste water elsewhere.

Thank you for considering our comments.

Sincerely,

Jane Winn