

**National Pollutant Discharge Elimination System
Remediation General Permit - Notice of Intent
Massachusetts (MAG910000)**

Former Agway Facility
Sunderland, Massachusetts

MAG910334

1. General Site Information

a) Facility/Site

Name:	Former Agway Facility	Geographic Coordinates (NAD83)	
	Facility SIC code(s): (former) 5171, Petroleum Bulk stations and Terminals	42°26'54.91"N	72°33'37.14"W
Address:	339 Amherst Road (Route 116) Sunderland, MA 01375-0406 Worcester County	Phone:	n/a
		Fax:	n/a
		Email:	n/a

b) Owner

Name:	Agway Liquidating Trust, Agway Inc., Yawga Energy Products, LLC	Contact:	John R Steiner / Director of Environmental Quality
Address:	5790 Widewaters Parkway Dewitt, NY 13214 Onondaga County	Phone:	(315) 449-7427
		Fax:	(315) 449-6435
		Email:	JSteiner@AgwayLt.com
Owner is (check one): 1. Federal 2. State/Tribal 3. Private <input checked="" type="checkbox"/> 4. other, if so, describe:			

c) Operator

Name:	Hydro-Environmental Technologies, Inc. (HETI)	Contact:	Cedwyn Morgan, LSP / Senior Geologist
Address:	54 Nonset Path Acton, MA 01720 X Middlesex County	Phone:	978-263-4044 x 215
		Fax:	978-635-0980
		Email:	CedwynM@HydroEnvironmental.com

d) Check "yes" or "no" for the following:

- Has a prior NPDES permit exclusion been granted for the discharge? No
- Has a prior NPDES application (Form 1 & 2C) ever been filed for the discharge? No
- Is the discharge a "new discharge" as defined by 40 CFR 122.2? Yes
- For sites in Massachusetts, is the discharge covered under the MA Contingency Plan (MCP) and exempt from state permitting? Yes

e) Is site/facility subject to any State permitting or other action which is causing the generation of discharge? Yes

- Site identification # assigned by the state of NH or MA: MADEP Release Tracking Number (RTN) 1-10523
- Permit or license # assigned: n/a
- State agency contact information: name, location, and telephone number:
Massachusetts Department of Environmental Protection, Western Region Office, 413-784-1100

f) Is the site/facility covered by any other EPA permit, including:

- Multi-sector stormwater general permit? No
- Phase I or II construction stormwater general permit? No
- Individual NPDES permit? No
- Any other water quality related permit? No

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2. Discharge information.

a) Describe the discharge activities for which the owner/applicant is seeking coverage:

The proposed discharge consists of treated groundwater generated from dewatering of a remedial soil excavation. The excavation is being performed as part of the efforts to cleanup an historical release of No. 2 fuel oil to soil and groundwater at a former bulk storage facility. Refer to Section 4 for a description of the proposed treatment system. Groundwater and separate-phase fuel oil will be pumped from dewatering well points and from the open excavation as necessary using conventional methods. The recovered fluids will be routed to a central treatment system for processing and subsequent discharge from the site.

<p>1) Number of discharge points: <u>one (1)</u></p>	<p>2) What is the maximum and average flow rate of discharge (in cubic feet per second, ft³/s)? Max. flow: <u>0.15 ft³/s (70 gpm)</u> Average flow: <u>0.04 to 0.15 ft³/s (20 to 70 gpm)</u> Is maximum flow a design value? <u>Yes</u></p>
<p>3) Latitude and longitude of each discharge within 100 feet: <u>None known.</u></p>	<p>4) If hydrostatic testing, total volume of the discharge (gals): <u>Not applicable</u></p>
<p>5) a) Is the discharge intermittent <input type="checkbox"/> or seasonal <input type="checkbox"/>? <u>Neither.</u> b) Is discharge ongoing Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>? c) Expected dates of discharge (mm/dd/yy): <u>To be determined--anticipated during 2008. Duration of discharge is estimated to be approximately two (2) to three (3) months.</u> d) Please attach a line drawing or flow schematic showing water flow through the facility including: 1. sources of intake water, 2. contributing flow from the operation, 3. treatment units, and 4. discharge points and receiving waters(s). <u>See Attached.</u></p>	

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3. Contaminant Information

See Attached Table

4. Treatment System Information

a) Description

Refer to Sections 2 and 3 for a description of the proposed discharge and contaminant information.

The proposed treatment system is anticipated to include sequential treatment using physical separation of particulates and recovered non-aqueous phase liquid (NAPL) fuel oil using fractionation (frac) tanks and/or an oil-water separator followed by removal of dissolved-phase contaminants using granular activated carbon (GAC). At least two carbon vessels arranged in series will be utilized to treat the water. Particulate filtration using bag or sand filters may also be included. Equipment will be appropriately sized for the anticipated flow and will provide adequate contact time with adsorptive filtration media to remove dissolved contaminants in compliance with the maximum discharge limits specified in Appendix III - Effluent Limitations of the RGP and other discharge standards promulgated by authorities with jurisdiction over the proposed discharge.

b) Identify each applicable treatment unit (check all that apply):

Frac tank	X	Air Stripper	Oil-Water Separator	Equalization Tanks	Bag Filter	X	GAC Filter	X
Chlorination		Dechlorination	Other (please describe):					

c) Proposed average and maximum flow rates (gallons per minute) for the discharge and the design flow rate(s) (gallons per minute) of the treatment system:

Design flow rate of treatment system 70 gpm Maximum flow rate of treatment system 70 gpm Average flow rate of discharge 20 to 70 gpm

d) A description of chemical additives being used or planned to be used (attach MSDS sheets):

Potential chemical additives include iron sequestering agents, such as polyphosphate.
The possible use of supplemental treatment additives will be evaluated based on operational experience. An example MSDS sheets is attached.

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5. Receiving Surface Water

a) Identify the discharge pathway: Direct Within facility Storm Drain <input checked="" type="checkbox"/> River/brook Wetlands Other (describe):
b) Provide a narrative description of the discharge pathway, including the name(s) of the receiving waters: <u>Storm drain system for Rt 116 northward to outfall to Dry Brook to Mohawk Brook to Connecticut River (Connecticut River Watershed - MA34)</u>
c) Attach a detailed map(s) indicating the site location and location of the outfall to the receiving water: <u>See Attached</u> 1. For multiple discharges, number the discharges sequentially. 2. For indirect dischargers, indicate the location of the discharge to the indirect conveyance and the discharge to surface water The map should also include the location and distance to the nearest sanitary sewer as well as the locus of nearby sensitive receptors (based on USGS topographical mapping), such as surface waters, drinking water supplies, and wetland areas.
d) Provide the state water quality classification of the receiving water <u>Class B (314 CMR 4.00), specified for Connecticut River and tributaries not otherwise classified</u>
e) Provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water: Please attach any calculation sheets used to support stream flow and dilution calculations. <u>0.0569 cfs at storm drain outfall to Dry Brook,</u> <u>0.12 cfs for Dry Brook Basin to confluence with Mohawk Brook.</u> <u>0.26 cfs at confluence with Connecticut River</u> <u>The estimated D90 streamflow of Dry Brook the discharge storm drain outfall is 0.22 cfs.</u> Flows estimated using StreamStats at http://streamstats.usgs.gov/mastreamstats/index.asp . Basin maps and output data are attached.
f) Is the receiving water a listed 303(d) water quality impaired or limited water? <u>Yes, Connecticut River, reach MA 34-04 (pathogens, priority organics)</u> Is there a TMDL? Yes No <input checked="" type="checkbox"/> If yes, for which pollutant(s)? <u>No TMDL set. See attached information.</u>

6. Results of Consultation with Federal Services:

Please provide the following information according to requirements of Part I.B.4 and Appendices II and VII.

a) Are any listed threatened or endangered species, or designated critical habitat, in proximity to the discharge? Yes <input checked="" type="checkbox"/> No _____ <u>See section 7.</u> Has any consultation with the federal services been completed? Yes _____ No <input checked="" type="checkbox"/> or is consultation underway? Yes _____ No <input checked="" type="checkbox"/> What were the results of the consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service (check one): a "no jeopardy" opinion? _____ or written concurrence _____ on a finding that the discharges are not likely to adversely affect any endangered species or critical habitat?
b) Are any historic properties listed or eligible for listing on the National Register of Historic Places located on the facility or site or in proximity to the discharge? Yes _____ No <input checked="" type="checkbox"/> <u>Review of MassGIS and Massachusetts Cultural Resource Information System (MACRIS)</u> Have any state or tribal historic preservation officer been consulted in this determination (Massachusetts only)? Yes _____ No <input checked="" type="checkbox"/>

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7. Supplemental Information

Please provide any supplemental information. Attach any analytical data used to support the application. Attach any certification(s) required by the general permit.

Threatened and Endangered Species

Areas that are potentially habitat threatened and endangered plant or animal species are located along the proposed discharge pathway. These areas are Priority Habitat of State-Protected Rare Species MassGIS polygon PH 1233 and Estimated Habitat of Rare Wildlife MassGIS polygon EH 874. Figure 4, Nearby Sensitive Receptor Map illustrates these features.

Federally listed species in Sunderland include the Bald Eagle (*Haliaeetus leucocephalus*), Shortnose Sturgeon (*Acipenser brevirostrum*), and the Dwarf Wedgemussel (*Alasmodonta heterodon*) (MA NHESP, http://www.mass.gov/dfwele/dfw/nhESP/species_info/mesa_list/rare_occurrences.htm). Based on the descriptions of the habitat preferred by these species, the proposed discharge pathway is unlikely to provide habitat for these species.

Average monthly flow of the Connecticut River at USGS gauging station No. 01170500 at Montague City, MA ranges 5,720 to 38,700 cfs (<http://waterdata.usgs.gov/>). The proposed discharge contributes less than 0.16% to the volumetric flow of the Connecticut River. Therefore, the proposed discharge is unlikely to have a negative impact on federally listed threatened and endangered species.

8. Signature Requirement

The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22, including the following certification:

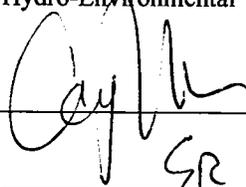
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Facility/Site Name: Former Agway Facility, 339 Amherst Road (Route 116), Sunderland, Massachusetts (MADEP RTN 1-10523)

Hydro-Environmental Technologies, Inc.

Agway Liquidating Trust, Agway Inc., Yawga Energy Products, LLC

Operator signature:



Title:

SR Geologist

Director of Environmental Quality

Date:

10/30/07

11/6/2007