

TOWN OF TEWKSBURY

BOARD OF HEALTH
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Executive Office of Energy & Environmental Affairs
Ian Bowles, Secretary
ATTN: MEPA Unit EOEEA 13925
100 Cambridge Street
Suite 900
Boston MA 02114

February 19, 2008

Dear Secretary Bowles:

On behalf of The Tewksbury Board of Health (TBOH), we are writing this letter to you to express our unanimous opposition of the Billerica Energy Center Rear Billerica Avenue, North Billerica, proposed by Montgomery Energy Billerica Power Partners LP. This proposed power plant will be located extremely close to the border of Tewksbury. The proposed plant will abut a densely populated area. As the TBOH, we have a number of health and safety concerns regarding air quality, water quality, and safety issues that could affect the health of the residents and municipal employees of Tewksbury.

As the prevailing westerly winds may carry pollutants into/towards a very densely populated area of Tewksbury, there is a possibility that the emissions generated from this plant will be discharging fine particulate matter and pollutants (cancer causing agents, etc) into this area. As your report states, the concentrations are below the current standards. However, there are still unanswered questions regarding degree of exposure levels.

According to the "Draft Environmental Impact Report Review Billerica Energy Center" prepared by Environmental Health & Engineering Inc (EH&E) - October 12, 2007, "EH&E is most concerned with estimation of ambient air quality impacts under normal operating and accidental release scenarios." More importantly EH&E is concerned with the short-term dispersion modeling not adequately representing air quality impacts. Regarding exposures from accidental releases, this report discusses ammonia exposure levels above the threshold limits for employees. However, it does not take into consideration potential impact to the health of the residents in this densely populated area when or during possible repeated exposures.

In EH&E "Preliminary Air Quality and Health Evaluation" - July 31, 2007 report to the Town of Billerica, it states that "The air pollutants generated from the BEC have been associated with several health and environmental concerns." With the knowledge that Tewksbury residents may be experience exposure to these pollutants, the TBOH request monitoring stations for all pollutants within Tewksbury should the BEC be approved. It is our understanding that other states have raised their emissions standards or are working toward raising them to more conservative levels compared to the

Massachusetts standards. We would also recommend these more stringent standards be applied in decisions relating to BEC.

The EH&E report includes a section titled "Existing Ambient Air Quality in Billerica and Surrounding Communities. However, the information does not include Tewksbury. Given that the prevailing winds blow toward Tewksbury and essentially all of Tewksbury is located within the 5 mile radius of this plant, TBOH is requesting additional information specific to the plant's impact to the present quality of air in Tewksbury and see treatment of ambient conditions in Tewksbury.

According to the "Draft Environmental Impact Report - September 11, 2007, the dispersion modeling was performed at Lawrence Airport, which is 20 km northeast of BEC, how does the modeling results relate to Tewksbury? Under conclusions in the EH&E Preliminary Air Quality and Health Evaluation report; it refers to "a marginal increase in air pollutants in the vicinity of the plant." How will these pollutants affect the health of Tewksbury residents in densely populated neighborhoods in the vicinity of BEC? The TBOH believes that further modeling is necessary to include the existing background sources.

The TBOH is also concerned with the potential impact to Tewksbury's water supply i.e. the Merrimack River. There are associated risks to the Concord River, which feeds the Merrimack River, which could adversely affect Tewksbury's existing water supply. These include: possible leakage and ruptures from the on site storage tanks containing aqueous ammonia and diesel. Additionally, it is known that there hazardous waste within the vicinity of the proposed BEC site, leaving potential of disruption of this hazardous waste.

TBOH is concerned with the increased traffic of vehicles and the types of materials (diesel and aqueous ammonia) that will transported on Tewksbury roads. Tewksbury will bear the burden of expenses associated with maintaining the roads. Tewksbury will bear the burden of any potential accident (i.e. vehicle accident, spills, or leaks). If the plant receives approval, the TBOH requests BEC to arrange and bear associated costs for training of Tewksbury's essential personnel, who would respond to an event, and the plant would incur the associated expenses.

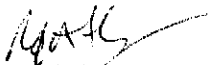
Several state and federal regulations, including M.G. L. c. 164, § 69J¼, require the proponent to document the cumulative health affects of the proposed plant. The only documents available for public review are in draft form. One example is the Preliminary Air Quality and Health Evaluation document, which was submitted to the Town of Billerica by Environmental Health and Engineering of Needham, MA, and which includes a Limitations section clearly stating the limited scope of the data available for analysis.

The TBOH agree too many unanswered questions remain, and incomplete or draft documents need to be addressed to allow an accurate assessment of the impacts to the health and safety of Tewksbury's residents. The TBOH ask the Executive Office of

Energy & Environmental Affairs, Billerica Board of Health, and other permitting agencies to carefully consider each point above and to include the TBOH in all future discussions.

The TBOH would also like to request that a public informational meeting to be held in Tewksbury prior to any decision or issuance of any permit. The residents of Tewksbury have not had the opportunity to listen to the owners of the proposed plant or to pose questions about the plant. The Health Director, Lou-Ann C. Clement will be available to assist in the preparations for this request.

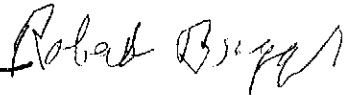
Thank you,



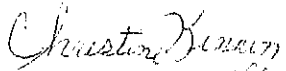
Ralph McHatton
Chairman



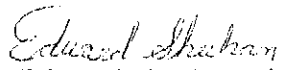
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