

Exhibit 13

Helen R. Caulton-Harris, Director
Division of Health/Human Svcs.
95 State Street, Suite 201
Springfield, MA 01103
(413) 787-6456/787-6458(fax)
(413) 787-6745(TTY)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

March 29, 2011

Michael Gorski - Regional Director
Mass DEP - Western Region
436 Dwight Street
Springfield, MA 01103

Suzanne K. Condon, Director
Bureau of Environmental Health Assessment
Massachusetts Department of Public Health
250 Washington Street, 5th Floor
Boston, MA 02108

Re: Palmer Renewable Energy LLC – Site Assignment under M.G.L. c. 111, §143
Air Quality Permit and Host Agreement

Dear Director Gorski and Director Condon:

The Springfield Public Health Council has learned that Palmer Renewable Energy LLC (PRE) has received conditional approval from the Massachusetts Department of Environmental Protection to build and operate a 35-megawatt (MW) biomass-fired power plant at 1000 Page Boulevard in Springfield.

The area that this project is located in includes sensitive populations that suffer disproportionate health impacts. As articulated in the comments from the Massachusetts Department of Public Health/Bureau of Environmental Health (DPH), during the MEPA process, health outcome data for the Springfield area indicate that there is an elevated disease burden in the community related to existing background conditions. The area has also been identified as an Environmental Justice community.

Based on the information received, the activity proposed by PRE may be a “noisome trade” as that term is used in G.L. c. 111, § 143. As Health Commissioner, and with the advice of the Public Health Council under authority of Chapter 533 of the Acts of 1980, and pursuant to the provisions of M.G.L. c. 111, § 143, the Springfield Health Commissioner and Public Health Council respectfully request that DEP and DPH provide advice previous to the assignment of places for the exercise of any trade or employment referred to in this section.

The Public Health Council recognizes that DEP is undertaking its responsibilities as to the Air Quality Permit. We also recognize that DPH is committed to work constructively with the stakeholders involved. However, as indicated during the MEPA process, as well as the ongoing Air Quality Permitting process, there are emerging issues as to Biomass Energy Plants and Health Risk Assessments which, currently, do not appear to be sufficiently addressed under the framework of the ongoing review.

Further, there has been a significant amount of public opposition encountered by the developer throughout the permitting process for the facility, which indicates that the general public is not satisfied within the current framework for the review. Consequently, we are seeking your advice to help the City address these concerns in an appropriate regulatory framework.

First, please advise as to whether the proposed site satisfies the site suitability criteria established in G. L. c. 111, § 150A §, 150A½ and regulations governing the relationship between the proposed site and water supply, air quality, traffic congestion, wildlife populations and agriculture as well as, whether the proposed site will cause a nuisance or a concentration of various facilities in Springfield.

Second, I draw your attention to the fact that, as noted in the MEPA certificate, as a result of background concentrations and emissions from the facility, maximum PM_{2.5} (fine particulate matter) concentrations could reach 29.9 µg/m³. Fine particulate matter, as noted in the MEPA certificate, has been linked to adverse health impacts in sensitive populations. While the Conditional Air Quality Permit is expected to limit emissions to 30.0 µg/m³, as the local authority responsible for the protection of public health, we are concerned that the limit may not be low enough to prevent significant health impacts to sensitive populations in the Springfield area.

We are concerned that actual emissions may exceed the limits based on the volume of actual fuel required to generate electrical output of 35 MW, and the moisture content of the feedstock. The Public Health Council, at this point, does not have all of the information it needs to make an informed decision. What further materials, including reports of consultants and copies of other permits or studies could DEP or DPH make available or require in a revised health impact or health risk assessment as to the cumulative impact of pollution sources in Springfield as a result of this facility?

Third, MDPH/BPH suggested during the MEPA process that ambient air quality concentrations may be underestimated, and that, during the MEPA process, updated and revised air modeling was requested. However, Significant Impact Levels [SIL's] have not been established for the revised 1 hour NO₂ and SO₂ standards. The Public Health Council is seeking more detailed analysis that considers the impacts associated not only with the new source, but also with existing sources in the region. What further materials, including reports of consultants and copies of other permits or studies could you make available, or require PRE to submit, in a revised health impact or health risk assessment as to the cumulative impact of pollution sources in Springfield as a result of this facility, particularly with regard to sensitive populations?

This health impact information sought as to the air toxics expected to contribute to acute respiratory-related health impacts is significant in light of the health outcome data for the Springfield area indicating that there is an elevated disease burden in the community related to existing background conditions and the fact that the area has also been identified as an Environmental Justice community.

If the data is not available, please advise as to whether DEP or DPH could require PRE to submit further studies, carry out the studies themselves, or provide financial support to the City of Springfield to carry out such studies.

Originally, DPH was to provide a health impact assessment as to the impacts of using C & D as fuel. As the local health authorities, while the fuel may have changed, based on the comments we have received through

various public meetings, there appears to be a general consensus that a study is still required to provide local authorities and residents assurances that the "green wood" fuel stock will not create unacceptable levels of risk to the health of Springfield residents as well as residents in surrounding communities. We are requesting that DPH undertake a cumulative health risk assessment

Fourth, the City is in the process of renegotiating a Community Host Agreement, and has been advised by the Law Department that, under M.G.L. c. 30, § 61, DEP may not take final action on the Air Quality permit application until these commitments are memorialized and set forth in a binding agreement. For example, the MEPA certificate also indicates that PRE represented that it will work cooperatively with the City, DPH, DEP, local public health organizations and residents on this initiative. As noted in the MEPA certificate PRE has committed to provide \$2 million to the City of Springfield to mitigate the impact of the project, two-thirds of which (\$1.33 million) will be dedicated specifically to addressing existing health impacts in Springfield. Therefore, as Public Health Commissioner, I am requesting that DEP delay the issuance of a final Air Quality Permit until a final agreement is reached with PRE.

A copy of this letter is being submitted as a comment on the Conditional Approval of the Air Quality permit. However, the Springfield Health Commissioner, on behalf of the Springfield Public Health Commission is requesting your assistance separate and apart from that process to assure that emerging issues as to Biomass Energy Plants and Health Risk Assessments are sufficiently addressed under the framework of the ongoing review at both the state and local levels.

Sincerely,

Helen Caulton- Harris, Health Commissioner

cc: PHC
Mayor
Attorney Ed Pikula, City Solicitor
Attorney Frank Fitzgerald for PRE
City Council
John Auerbach, Health Commissioner
Allan Chwalek, DPW
Phil Dromey, Planning
Steve Desilet, Code Enforcement Commissioner,
Patrick Sullivan, Facilities Management,