

Exhibit 8



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

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Secretary

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Commissioner

May 16, 2011

Helen R Caulton- Harris, Director
Division of Health Services
City of Springfield
95 State Street
Springfield, Massachusetts 01103

Re: Letter dated March 29, 2011 – Palmer Renewable Energy Project

Dear Director Caulton – Harris,

Thank you for your letter of March 29, 2011 seeking advice from the Department of Environmental Protection (MassDEP) pursuant to MGL c. 111 s. 143 regarding the proposed Palmer Renewable Energy (PRE) project located on 1000 Page Boulevard in Springfield. MassDEP appreciates your concern about the potential impacts this project may have on sensitive populations within the City of Springfield.

Your first question asks for information on the assignment of “noisome trade” sites under MGL C. 111 s. 143. Since the Springfield Division of Health and Human Services (DHHS) is considering jurisdiction over the PRE project under the noisome trade statute, MassDEP recommends that you retain legal assistance to thoroughly examine this question and advise you accordingly. To the best of our knowledge, no wood fueled facility has been regulated under MGL C.111 s. 143 since the adoption of MGL c. 111 142 A – J and its companion regulation at 310 CMR 7:00. With respect to the substance of the “noisome” or nuisance concerns that you have raised in your letter, please note that the MassDEP draft Non- Major Comprehensive Plan Approval (Plan Approval) contains conditions that address these types of “noisome” or nuisance conditions, including odor, noise and fugitive emissions. It is our understanding that issues such as traffic and other potential localized health impacts can be addressed through a Host Community Agreement between the City and PRE.

Your second question asks whether the proposed site satisfies the site suitability criteria cited under MGL C. 111. s.150A. The PRE project as currently proposed plans to use green wood chips, also known as “virgin” or “clean” wood, which are not considered “solid waste” under MassDEP regulations. Therefore, the project would not be subject to this law or its companion regulation at 310 CMR 16.00 because the facility will not be combusting a “solid waste”.

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TDD# 1-866-539-7622 or 1-617-574-6868
MassDEP Website: www.mass.gov/dep

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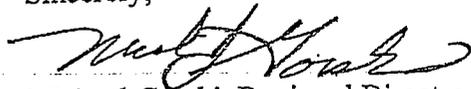
Your third question is about the emissions from the PRE facility in relation to the PM_{2.5} National Ambient Air Quality Standard (NAAQS). The NAAQS are health-based standards established by the Environmental Protection Agency (EPA) under the Clean Air Act that are designed to protect sensitive populations such as people with diseases, children and the elderly. The predicted impacts from the PRE facility indicate that the current 35 ug/m² PM_{2.5} NAAQS will be met by a comfortable margin. If the PM_{2.5} standard were to be revised and strengthened by EPA at some point in the future to 30 ug/m² (as MassDEP has previously requested the agency to do) then there is still a margin of additional protection provided beyond the inherent and conservative protections built into the standard.

In addition, you express a concern that the plant may not meet its emission limits and could cause an exceedence of the NAAQS. When MassDEP approves a new source of air pollution, the approval includes an array of systems to assure conformance with any emission limitation. They include continuous emission monitors, stack tests and unannounced inspections. Please also note that MassDEP's draft Plan Approval restricts the volume of fuel that can be consumed by the facility, regardless of moisture content. When violations are detected, MassDEP has a number of enforcement tools it can utilize to assure compliance, including the imposition of monetary penalties. Finally, your request for a more detailed impact analysis (source interaction) has been submitted to the program for its consideration when evaluating comments from the public hearing that was conducted on April 5, 2011.

In your final question you request that MassDEP delay the issuance of any Plan Approval of the PRE project until a final Host Community Agreement is reached with the developer of the project based upon your reading of M.G.L. c. 30, s. 61. That statutory provision is part of the Massachusetts Environmental Policy Act (MEPA), and requires state agencies to make findings to avoid, minimize and mitigate environmental impacts in the context of MEPA. Please be aware that pursuant to the MEPA regulations at 301 CMR 11.12(5), such findings are only required where the Secretary of Energy and Environmental Affairs required an Environmental Impact Report (EIR). In this case, MEPA review has already been completed, and no EIR was required; MassDEP is not therefore required to make findings under M.G.L. c. 30, s. 61 prior to issuing a final Plan Approval. However, as you pointed out, the MEPA certificate envisioned that the City, PRE, DPH and MassDEP would cooperate on matters of mutual interest, so MassDEP would be willing to incorporate certain host community commitments into its Plan Approval to assure that they are fulfilled.

If you have any further questions please feel free to contact the undersigned or Mr. David Howland of my staff at 413-755-2280.

Sincerely,



Michael Gorski, Regional Director

Cc. Suzanne Condon, DPH
Marc Simpson, DEP