

March 12, 2021

The Honorable David Grant
Mayor of Arden Hills
City of Arden Hills
1245 West Highway 96
Arden Hills, MN 55112

**RE: Boston Scientific, Building 14 Expansion: Response to Neighbor Letter
RSP Project No.: 6131.022.11**

Dear Mayor Grant:

Thank you for allowing Boston Scientific the opportunity to address certain residents' concerns detailed in a February 17, 2021 letter authored by Mr. Bryan Mills (Arden Hill Residents' Letter). Boston Scientific is a committed corporate citizen of this community and takes its adjoining neighbors' concerns seriously. We want to assure the City of Arden Hills, and its residents, that the expansion project will not impact the quality of life enjoyed by its resident, nor cause any environmental impacts to the surrounding habitat. Towards this end, we have addressed each of the resident's concerns in detail below. Additionally, we intend to continue this important dialogue with the community at the April 7, 2021 Planning Commission meeting.

As background, following the December 14, 2020 Neighborhood Meeting, hosted by Boston Scientific, residents set out specific concerns relating to the perceived increase in noise emissions and underdeveloped landscape screening at the facility. Boston Scientific heard each concern and implemented immediate measures to correct current conditions and alter expansion plans to address the remainder of the issues to fulfill our neighbors' requests. It was our understanding that all the proposed changes, as well as the immediate remedial efforts, fully addressed the residents' initial concerns. It was not until the February 17, 2021 Arden Hill Residents' Letter that Boston Scientific was made aware of the perceived environmental concerns related to the expansion project. We have provided a detailed response to each of these concerns below; however, we want to assure you; the City of Arden Hills; and its' residents that Boston Scientific is committed to achieving environmental excellence which it demonstrates by the superior environmental track record maintained at this facility.

With that said, specific responses to the concerns set forth in the Arden Hill Residents' Letter are as follows:

I. NOISE CONCERNS

- a. Garbage: Emptying the oversized compactor occurs daily between the hours of 5:20 – 6:00 a.m. on the northwestern most position of the property, a site not currently screened by any physical structure. This is not only unsettling but an unwanted daily alarm for the closest residents. This continues to be out of compliance for the City of Arden Hills Code: 660.04 Collection and Licensing Subd 4.
 - i. Subd. 4. No person, company, or corporation shall collect or remove garbage, refuse, recyclable materials, or other mixed municipal solid waste in any residential district or from any property sharing a property line with a residential district in which the collection can cause a negative impact to the adjacent residential district (i.e., noise, odors), except between the hours of 6:00 a.m. and 6:00 p.m. Monday through Saturday.

We brought this to Mike Mrosła's attention in December 2020 and he stated it would be immediately addressed but even after 60+ days this remains a persistent issue.

Response: Boston Scientific was first introduced to this concern during the December 14th Neighborhood Review Meeting. The day following the meeting, our facility staff reached out to all on-site service vendors requesting they abide by city ordinance 660.4, Subd.4 and to stay within the allotted time frames. It was noted by Arden Hills Planning Manager Mike Mrosła that the very next day Waste Management arrived at the facility at 6:05am.

Boston Scientific understands that there have been a few occurrences since the December 14th meeting where refuse collection happened prior to 6:00am. Additional corrective actions are in place with continual monitoring of the area, such as; weekly touchpoints with Waste Management, evaluation of other suppliers, signage at refuse compactor to stipitate allowable collection times, and daily review of security footage to verify compliance. Boston Scientific will continue to take action in order to comply with the city ordinance.

- b. Commercial HVAC Equipment: Current operations entail the air handling units running 24/7. Varying degrees of noise are emitted from these pieces of equipment and that needs to be studied in their current, future, and max-output operation for noise emission. Adding to the current noise levels will be two and likely three additional pieces of equipment mounted to the roof structure. The increase in noise of these running simultaneously is yet to be understood. The new height would be unobstructed by trees and noise will surely increase the noise level in surrounding neighborhoods.

Response: Boston Scientific completed a noise study in January of 2021 which captured ambient noise readings at two un-obstructed locations on the NW property line for a period of 24 hours. Results indicated that noise levels generated by existing HVAC equipment on the roof did not exceed the nighttime L50 levels for residential land use (based on our nearest receiver).

The expansion project will not substantially increase noise emissions. The design of the building expansion incorporates a mechanical penthouse that is designed to protect the HVAC

equipment and provide a noise barrier to the surrounding neighborhood. Boston Scientific has partnered with ESI, a local engineering consultant with expertise in sound engineering, to analyze the impact of proposed state of Building 14. Using the information provided by the equipment manufacturer and the improved design of the roof of building 14, ESI calculated that the future noise impact to residences adjacent to BSC property will be far below the MPCA nighttime L50 limits.

- c. Argon Gas Storage: Refills occur on a regular basis but are not uncommonly completed prior to 6:00 AM on weekdays. The hissing sound is clearly audible during these events and is also out of compliance of City of Arden Hills Code: 1325.06 Subd. 2.
- i. Off-Street Loading. Off-street loading space shall be provided in connection with any use which requires the receipt or distribution of materials by truck. Where noise from such loading space is audible in a residential district, the activity shall terminate between the hours of 7:00 p.m. and 7:00 a.m.

Response: Boston Scientific was introduced to this concern during the December 14th Neighborhood Review Meeting. The following day our facility staff reached out to all on-site service vendors requesting they abide by city ordinance 660.4, Subd.4 and stay within the allotted time frames. We are working with our vendor, Air Products, to devise an alternative plan for completing deliveries at Building 14 between the hours of 6:00 am to 6:00 pm to accommodate residents.

- d. Previous Noise Studies: Noise studies were conducted by a contracted third party due to a previous Building 14 expansion and the data findings were conclusive; Boston Scientific was NOT in compliance of state noise laws at time of study. Mitigation steps occurred via plantings but some of those plantings have since died and been removed. No additional plantings were completed to replace those trees nor have follow up noise studies been shared with the community.

Response: This statement is false. The study the residents are referring to occurred fifteen years ago, on Dec 8, 2006, and although initial noise levels were above MPCA levels Boston Scientific took immediate steps to reduce noise below MPCA levels. Boston Scientific invested in substantial sound abatement techniques including planting trees and the installation of sound absorption measures in certain areas of the facility. In follow-up surveys conducted on April 25, 2007 and June 20, 2007, prepared by independent third-party ESI Engineering Inc., the L50 levels were confirmed to be below MPCA limits for the area. These results were sent to the City of Arden Hills. In 2021, in preparation for the new expansion, another noise study was completed by ESI Engineering Inc. After a thorough review of the current and future operating conditions, ESI Engineering concluded that the noise from Building 14 would not exceed MPCA standards for this region.

- e. Independently contracted noise studies of a statistically significant data set should be conducted, reviewed, and shared with the community prior to voting on any current or future proposals. The data collection needs to occur where the noise is impacting the adjacent residents (on decks, outside 2nd or 3rd floor bedroom windows or in back yards NOT buried in the woods as proposed along the BSCI property lines). When the study occurs, you will capture the above activities. Time stamped audio recordings have already been captured to validate the concerns.

Response: Boston Scientific has done multiple noise studies of this area and has shared previous results with the City of Arden Hills. Most recently, on January 21, 2021, Boston Scientific collected ambient noise readings at two un-obstructed locations along the NW property line for a period of 24 hours. The noise levels on the BSC property were well within the MPCA limits. The data conclusively demonstrated that Boston Scientific’s existing operations continue to remain in compliance with current noise emission levels.

II. BUILDING HEIGHT/VISUAL POLLUTION

a. Building height/visual pollution: Building 14’s existing structure sits at a height of 21 feet. The proposed expansion will almost double in height to a proposed height of 40 feet and sit exposed as a visual monstrosity. It should be noted that a significant number of mature trees were removed from the southwestern portion in the summer of 2019. These stumps can be observed from the community trail and would have considerably obstructed the view of this proposed expansion. A revision to the proposed building height should be made to remain consistent with the existing Building 14 structure; the City of Arden Hills should not grant a variance to the current zoning maximum height restriction of 35 feet.

i. City of Arden Hills Code: 1320.06 District Requirements Chart:

1320.06 District Requirements Chart

(revised 9/25/17)

Note: To view this chart in PDF, please click [HERE](#). You must have Adobe Acrobat Reader installed.

	R-1	R-2	R-3	R-4	NB	B-1	B-2	*B-3	*B-4	CC	*G-B	I-1
Single Family	83/130	83/120	83/120	83/120	==	==	==	==	==	==	==	==
Two Family	95/130	85/120	85/120	85/120	==	==	==	==	==	==	==	==
4. Height (ft.)	35	35	35	35	35	35	50	35	35	35	35	35

As described by City of Arden Hills Planning Manager, Mike Mrosola, we see this height variance as a “give and take” option where we will “give” the 40’ variance. We don’t see any way “taking” additional plantings can ever screen or obstruct a 40’ building from the residentially exposed side of the property. Additionally, these plantings will take decades to make any considerable impact on the proposed expansion.

Response: As noted by Mr. Mrosola, Boston Scientific was granted an option to exceed the 35’ height restriction pursuant to the Master Planned Unit Development (PUD) negotiated with the City of Arden Hills in 2003. Although the PUD is not a guarantee to exceed the height limit, it allows Boston Scientific to provide justification why the limit should be exceeded under certain conditions. In the case of the Building 14 expansion, the extended height of the building will be used to enclose all HVAC systems that support the manufacturing of the new building, which in turn will aid in improving visual aesthetics and noise mitigation to the surrounding community. In addition, BSC plans to execute an extensive restoration landscaping project which will include planting an extensive array of mature trees and expanding the greenway around the facility.

III. EXPANDED LITHIUM BATTERY MANUFACTURING

- a. Expanded Lithium Battery Manufacturing: An environmental and safety specialist was present during the community presentation and spoke vaguely about the current and future impact of BSCI's battery manufacturing operations. The vagueness of comments is concerning. Many questions remain.
 - i. What are the emissions from current and future operations, and do/could they impact adjacent neighbors?

Response: *Since 1995, Boston Scientific Arden Hills has been subject to an Option D air permit with the Minnesota Pollution Control Agency (MPCA) and completes annual emissions reporting for the site. MPCA and the Department of Health (MDH) partner to establish air pollutant levels that are sustainable to the environment and are acceptable for human health. Our annual Emissions Inventory Report is submitted to the MPCA every year and is available for public review on their website. The Arden Hills site continues to be within compliance limits of our permitted air pollutant thresholds. Any emissions from future campus building expansions will be captured in the reporting process to MPCA and made publicly available.*

The Arden Hills campus strives to be a center of environmental excellence by continually improving our technologies to achieve the least impact on the surrounding community and environment as we continue to produce life saving devices.

- ii. What are the risks?

Response: *None. The processes in the new building 14 expansion will continue to be the same as current operations and thus will not alter the type of emissions emitted from the facility. The proposed area will be folded into our current emissions reporting process and submitted annually to the MPCA.*

- iii. Have environmental spills occurred in the past?

Response: *No knowledge of spills and/or releases have occurred during Boston Scientific's tenure at the Arden Hills facility. Further, Boston Scientific has no knowledge or evidence of any historical spills and/or releases from Building 14 prior to Boston Scientific purchase of the property in 2004.*

- iv. Has the land and water been tested recently?

Response: *In 2019, there was a potential release to soil from Building 14 and proper notification was made to the MPCA. In response to a potential release at Building 14, Boston Scientific conducted a round of soil sampling pursuant to guidance by MPCA. The samples confirmed that a release had not occurred at the facility. The MPCA closed their investigation in October 2020.*

Boston Scientific partners with the Rice Creek Watershed District and complies with all stormwater permitting and discharge into the watershed. Each project done on BSC campus requires a review, approval, and permit by RCWS.

- v. What measures are taken and by whom to ensure everyone remains safe?

Response: Boston Scientific Arden Hills is certified under the ISO 14001 program, which illustrates our ardent commitment to act as a responsible environmental steward. In addition, the Arden Hills facility partners with Ramsey County, City of Arden Hills, Metropolitan Council of Environmental Services, the MPCA, the MN Safety Council, MDH, BayWest, local fire and police, on many different topics to ensure employee and community safety and stay up to date on any new and emerging topics. We have a well-educated Facilities and EHS department with a wide variety of experience that manage the ISO 14001 program; maintain permit requirements; and work with local, state and federal environmental and health agencies. The Boston Scientific team takes pride in how we can continue to reduce our environmental footprint while improving safety for our employees and community.

We thank you for this opportunity to comment and address residents' concerns of the Arden Hills expansion project. We hope that this summary provides more insight into the improvements Boston Scientific has invested in over the years to demonstrate our continued commitment to acting as a responsible and committed member of the Arden Hills community.

In the event you have further questions or need clarification on certain issues addressed in this letter please do not hesitate to contact me at your convenience.

Respectfully,

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