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10 February 2012  
File No. 37314-245

US Environmental Protection Agency  
Dewatering GP Processing  
Municipal Assistance Unit (CMU)  
1 Congress Street, Suite 1100  
Boston, Massachusetts 02114-2023

Attention: Ms. Olga Vergera

Subject: Notice of Intent (NOI) for NPDES General Permit  
Temporary Construction Dewatering  
Proposed Residence Inn at 368 Congress Street  
Boston, Massachusetts 02210

Ladies and Gentlemen:

On behalf of our client, Norwich Partners of Boston LLC, and in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Dewatering Activities – Massachusetts General Permit, MAG070000, included herewith are the Notice of Intent (NOI) and applicable documentation as required by the US Environmental Protection Agency (USEPA) and Massachusetts Department of Environmental Protection (MADEP) for construction site dewatering under the General Permit.

#### **Site Location and Existing Conditions**

The subject site is located at 368 Congress Street in Boston's Fort Point neighborhood; refer to Figure 1. As shown on Figure 2, the property is bounded by Congress Street to the south, Thomson Place to the west and Stillings Street to the east. A six story building occupies the majority of the site, with a section of paved surface parking located at the northernmost end of the property.

#### **Proposed Construction and Management of Dewatering Effluent**

The project involves redevelopment of the existing six-story building as a hotel. Temporary construction dewatering is anticipated to be conducted, as necessary, during excavations to install utilities that will service the building and excavations within the building's lowest level to construct sumps/pits for new mechanical and elevator equipment. Where possible, the project will utilize on-site recharge of the dewatering effluent. However, where on-site recharge is not feasible, the project plans to direct the dewatering effluent to the existing storm drain system which drains to Fort Point Channel.

The Contractor will design, operate, and maintain dewatering and sedimentation control systems for off-site discharge. The systems will be designed to meet the permit requirements for suspended solids in the effluent stream prior to discharge into the nearby storm drain. Haley & Aldrich will perform the required sampling and testing of the dewatering effluent and will report the results as required by the permit. The Contractor's sedimentation system and/or dewatering procedures will be modified as necessary to comply with the Permit Discharge Criteria.

At this time, the contractor's dewatering system is anticipated to collect and route water through a sedimentation basin to remove suspended solids and undissolved chemical constituents. Piping from the sedimentation basin will discharge water to storm drains (SD) located near the site. Possible discharge options include an 18-in. SD beneath Stillings Street and a 24-in. SD beneath Thomson Place from which flow is directed to a 48-in. SD beneath Congress Street that eventually drains to outfall SDO 075 located west of the site; refer to Figure 3.

Site work and associated construction dewatering are currently anticipated to begin in late February 2012 and are estimated to continue intermittently for approximately four months.

### Site History

Based on review of available information, it is our interpretation that prior to construction of the subject building the subject site was mainly undeveloped. The current building was constructed in 1901 by the former Boston Wharf Company and supported various manufacturing operations through about 1994. From 1994 through 2006, the subject building was occupied by office space, artist lofts, and an elevator machine repair company. In 2006, the building was vacated in anticipation of redevelopment and has remained that way since that time.

### Environmental Site Assessment

Haley & Aldrich conducted a Phase I Environmental Site Assessment (Phase I ESA) of the property in 2010. The Phase I ESA included visual observations of site conditions, review of federal and state environmental database information, review of state environmental files pertaining to the site and nearby sites, review of historical use information, local municipal records review, and an interview with a Key Site Manager. Recognized Environmental Conditions were not identified for 368 Congress Street.

### Contact Information

Applicant:

Norwich Partners of Boston LLC  
c/o Colliers International  
160 Federal Street  
Boston, Massachusetts 02110  
Attention: Mr. Yanni Tsipis  
Tel: 617.330.8151

Representative preparing this application on behalf of Norwich Partners:

Haley & Aldrich, Inc.  
465 Medford Street, Suite 2200  
Boston, Massachusetts 02129-1400  
Attention: Keith E. Johnson, P.E., Vice President  
Tel: 617.886.7318

### Analytical Testing

On 23 January 2012, Haley & Aldrich collected one groundwater sample from an existing groundwater observation well 23L-2469 located as shown on Figure 2. The sample was submitted to Alpha Analytical Laboratory of Westborough, Massachusetts, a DEP certified laboratory, and analyzed for the following parameters:

- Total Suspended Solids (TSS)
- Total Residual Chlorine (TRC)
- Total Petroleum Hydrocarbons (TPH)
- Total Cyanide (TCN)
- Total Phenol
- Total Metals
- Volatile Organic Compounds (VOCs)
- Semi-Volatile Organic Compounds (SVOCs)
- Polychlorinated Biphenyls (PCBs)
- 1,2-Dibromoethane (EDB)

Groundwater quality data are summarized on Table I indicate that the groundwater contains low or no detectable levels of contamination.

**Other Information**

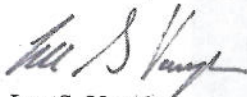
Other information pertinent to this request and included herewith are as follows:

- Appendix A - "Suggested Notice of Intent" (NOI) form as provided in Appendix V of the NPDES Dewatering General Permit
- Appendix B - MADEP Transmittal Form for Permit Application BRP VM10
- Appendix C - Boston Water & Sewer Dewatering Discharge Permit Application (filed concurrently)
- Appendix D - National Register of Historic Places and Massachusetts Historical Commission Documentation
- Appendix E - Endangered Species Act Documentation
- Appendix F - Laboratory Data Reports for groundwater sampling/testing

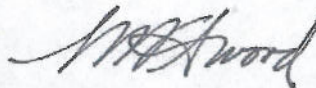
**Closing**

Thank you very much for your consideration of this NOI. Please feel free to contact us should you wish to discuss the information contained herein or if you need additional information.

Sincerely yours,  
HALEY & ALDRICH, INC.



Lee S. Vanzler  
Senior Engineer



Michael J. Atwood, P.E.  
Vice President

- c: MADEP; Attn: Division of Watershed Management, Robert Kubit  
Boston Water and Sewer Commission; Attn: Francis McLaughlin  
Colliers International; Attn: Yanni Tsipis  
Lee Kennedy Construction Company; Attn: Dan Lebiecz

**II. Suggested Notice of Intent (NOI) Form**

1. General facility information. Please provide the following information about the facility.

<p>a) Name of facility: Proposed Residence Inn</p>	<p>Mailing Address for the Facility: 368 Congress Street Boston, Massachusetts 02210</p>	
<p>b) Location Address of the Facility (if different from mailing address): N/A</p>	<p>Facility Location Longitude: 42 21 01" N Latitude: 71 02' 52" W</p>	<p>Type of Business: Proposed Hotel with Retail Space Facility SIC codes: N/A</p>
<p>c) Name of facility owner: Norwich Partners of Boston, LLC Owner's Tel #: 617-330-8151 Address of owner (if different from facility address) c/o Colliers International; 160 Federal Street Boston, Massachusetts 02110 Owner is (check one): 1. Federal _____ 2. State _____ 3. Tribal _____ 4. Private <input checked="" type="checkbox"/> 4. Other _____ (Describe) Legal name of Operator, if not owner: Lee Kennedy Construction Company Operator Contact Name: Dan Lebiecz Operator Tel Number: (617) 825-6930 Fax Number: (617) 265-0815 Operator's email: dlebiecz@leekennedy.com Operator Address (if different from owner) 122 Quincy Shore Drive, Quincy, Massachusetts 02171</p>		
<p>d) Attach a topographic map indicating the location of the facility and the outfall(s) to the receiving water. Map attached? <input checked="" type="checkbox"/> See Figure 1</p>		
<p>e) Check Yes or No for the following: 1. Has a prior NPDES permit been granted for the discharge? Yes _____ No <input checked="" type="checkbox"/> If Yes, Permit Number: _____ 2. Is the discharge a "new discharge" as defined by 40 CFR Section 122.22? Yes <input checked="" type="checkbox"/> No _____ 3. Is the facility covered by an individual NPDES permit? Yes _____ No <input checked="" type="checkbox"/> If Yes, Permit Number _____ 4. Is there a pending application on file with EPA for this discharge? Yes _____ No <input checked="" type="checkbox"/> If Yes, date of submittal: _____</p>		

2. Discharge information. Please provide information about the discharge, (attaching additional sheets as needed)

a) Name of receiving water into which discharge will occur: Fort Point Channel  
State Water Quality Classification: Class SB Freshwater: Marine Water:

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

- 1. Construction dewatering of groundwater intrusion and/or storm water accumulation.
- 2. Short-term or long-term dewatering of foundation sumps.
- 3. Other.

c) Number of outfalls 1

For each outfall:

d) Estimate the maximum daily and average monthly flow of the discharge (in gallons per day - GPD). Max Daily Flow 20,000 GPD  
Average Monthly Flow 12,000 GPD

e) What is the maximum and minimum monthly pH of the discharge (in s.u.)? Max pH 8.3 Min pH 6.5

f) Identify the source of the discharge (i.e. potable water, surface water, or groundwater). If groundwater, the facility shall submit effluent test results, as required in Section 4.4.5 of the General Permit. Groundwater. Please see attached Table I

g) What treatment does the wastewater receive prior to discharge? Sedimentation

h) Is the discharge continuous? Yes No  If no, is the discharge periodic (P) (occurs regularly, i.e., monthly or seasonally, but is not continuous all year) or intermittent (I) (occurs sometimes but not regularly) or both (B) (I)  
If (P), number of days or months per year of the discharge NA and the specific months of discharge NA  
If (I), number of days/year there is a discharge Approx. 50  
Is the discharge temporary? Yes  No  
If yes, approximate start date of dewatering February, 2012 approximate end date of dewatering May 2012

i) Latitude and longitude of each discharge within 100 feet (See [http://www.epa.gov/tri/report/siting\\_tool](http://www.epa.gov/tri/report/siting_tool)): Outfall 1: long. 42.21.06" lat. 71.03.01";  
Outfall 2: long. lat. ; Outfall 3: long. lat.

j) If the source of the discharge is potable water, please provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water and attach any calculation sheets used to support stream flow and dilution calculations NA cfs  
(See Appendix VII for equations and additional information)

**MASSACHUSETTS FACILITIES: See Section 3.4 and Appendix 1 of the General Permit for more information on Areas of Critical Environmental Concern (ACEC):**

k) Does the discharge occur in an ACEC? Yes \_\_\_\_\_ No    
 If yes, provide the name of the ACEC: \_\_\_\_\_

**3. Contaminant Information**

- a) Are any pH neutralization and/or dechlorination chemicals used in the discharge? If so, include the chemical name and manufacturer; maximum and average daily quantity used as well as the maximum and average daily expected concentrations (mg/l) in the discharge, and the vendor's reported aquatic toxicity (NOAEL and/or LC<sub>50</sub> in percent for aquatic organism(s)). NO
- b) Please report any known remediation activities or water-quality issues in the vicinity of the discharge. None known

**4. Determination of Endangered Species Act Eligibility: Provide documentation of ESA eligibility as required at Part 3.4 and Appendices III and IV. In addition, respond to the following questions.**

- a) Are any listed threatened or endangered species, or designated critical habitat, in proximity to the discharge? Yes \_\_\_\_\_ No
- b) Has any consultation with the federal services been completed? Yes  No \_\_\_\_\_
- c) Is consultation underway? Yes \_\_\_\_\_ No
- d) What were the results of the consultation with the U.S. Fish and Wildlife Service and/or NOAA 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.
- e) Which of the five eligibility criteria listed in Appendix 2, Section B (A,B,C,D, or E) have you met? A, B, D
- f) Please attach a copy of the most current federal listing of endangered and threatened species, found at USF&W website. See Appendix E

**5. Documentation of National Historic Preservation Act requirements: Please respond to the following questions:**

- a) Are any historic properties listed or eligible for listing on the National Register of Historic Places located on the facility site or in proximity to the discharge? Yes \_\_\_\_\_ No
- b) Have any State or Tribal historic preservation officers been consulted in this determination? Yes \_\_\_\_\_ or No  If yes, attach the results of the consultation(s).
- c) Which of the three National Historic Preservation Act requirements listed in Appendix 3, Section C (1,2, or 3) have you met? 1

**6. 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 See Table 1 and Appendix F**

**7. Signature Requirements: The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22 (see below) including the following certification:**

I certify under penalty of law that (1) no biocides or other chemical additives except for those used for pH adjustment and/or dechlorination are used in the dewatering system; (2) the discharge consists solely of dewatering and authorized pH adjustment and/or

dechlorination chemicals; (3) the discharge does not come in contact with any raw materials, intermediate product, water product or finished product; (4) if the discharge of dewatering subsequently mixes with other permitted wastewater (i.e. stormwater) prior to discharging to the receiving water, any monitoring provided under this permit will be only for dewatering discharge; (5) where applicable, the facility has complied with the requirements of this permit specific to the Endangered Species Act and National Historic Preservation Act; and (6) 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 Name: Proposed Residence Inn, 368 Congress Street, Boston, Massachusetts 02210

Operator signature: 

Title: *PROJECT MANAGER*

Date: *2/9/2012*

Federal regulations require this application to be signed as follows:

1. For a corporation, by a principal executive officer of at least the level of vice president;
2. For partnership or sole proprietorship, by a general partner or the proprietor, respectively, or,
3. For a municipality, State, Federal or other public facility, by either a principal executive officer or ranking elected official.