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27 July 2015  
File No. 42017-001

US Environmental Protection Agency  
Dewatering Permit GP Processing  
Industrial Permit Unit (OEP-06-4)  
5 Post Office Square - Suite 100  
Boston, MA 02109-3912

Attention: To Whom It May Concern

Subject: Notice of Intent (NOI)  
Temporary Construction Dewatering  
Custom House Block  
62-70 Long Wharf  
Boston, MA

Ladies and Gentlemen:

In accordance with the National Pollutant Discharge Elimination System (NPDES) Dewatering General Permit (DGP) in Massachusetts, MAG070000, this letter submits a Notice of Intent (NOI) and the applicable documentation as required by the US Environmental Protection Agency (EPA) for temporary dewatering under the DGP. Temporary dewatering is planned in support of investigation activities proposed at the Custom House Block, located 62-70 Long Wharf in Boston, Massachusetts, as shown on Figure 1 – Project Locus.

## Background

The Custom House Block is a 5 story brick and granite masonry building located on Long Wharf in Boston, MA. The building is believed to have been constructed in or around 1848. The interior of the building consists of wood framing supported on the masonry structure. It originally served as a warehouse along Long Wharf and today is used as a commercial office space. The ground level floor is at about El. 15.4<sup>1</sup> +/- and the basement level floor is at El. 6.5 +/- . The foundation system is believed to be stacked granite blocks supported on wood pilings. The wood pilings are believed to derive their load carrying capacity from the marine clay deposits located below the organic silt and fill layers at depths estimated to be 35-40 ft. below existing ground surface. The MBTA blue line tunnel passes under the southeast corner of the existing building.

The basement of the building floods tidally and has flooded since at least the early 1940's. Originally, the basement was kept dry by a below grade clay dam on the exterior of the building. The flooding is

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<sup>1</sup> Elevations in this letter reference Boston City Base.

believed to be associated with the clay dam having been compromised when trenches were excavated and backfilled with more porous materials to bring below grade utilities to the building. The current owner would like to undertake a limited study to see if it is feasible to stop the flooding and dry out the basement.

## **Proposed Investigation**

To investigate the flooding of the basement Haley & Aldrich has proposed to conduct test pits along the exterior wall to define near surface underground conditions and a pump test within the basement to try to identify locations where sea water leaks into the basement. No dewatering activities will be conducted from the test pits. The pump test will consist of pumping water out of the basement at low tide and observing water infiltration during the rising tide. This effort will be repeated as needed to identify leaks. Dewatering efforts are expected to be conducted for less than one week. The attached plan indicates the proposed test pits and area to be dewatered.

## **Regulatory Background**

On April 11, 1998 a release of liquid herbicide occurred on the ground floor of the Custom House Building. The release was reported to the Massachusetts Department of Environmental Protection (MADEP) and subsequently assigned reporting tracking number (RTN) 3-16694. The spill was remediated, and during response actions 11 drums of oily solids and 220 gallons of oily water were generated and removed from the property. An A-1 Release Action Outcome (RAO) Statement was submitted to the MADEP on 18 August 1998 indicating that the site was returned to background conditions.

No additional environmental releases were indicated in the MADEP Waste Site / Reportable Release Look Up data base (<http://public.dep.state.ma.us/SearchableSites2/Search.aspx>).

## **Temporary Construction Dewatering Notice of Intent**

The dewatering activities will consist of pumping surface water that infiltrates into the basement space of the building from Boston Harbor. Long Wharf is surrounded on three sides by boat channels and boat docks, including the berth for T Commuter boats. Numerous boats are docked adjacent to Long Wharf and several boat fueling facilities are located nearby. Petroleum constituents associated with diesel fuel are anticipated to be present in the sea water within the basement as well as the Boston Harbor adjacent to the site. During the response actions conducted in 1998 associated with a herbicide release, Methyl tert-butyl ether (MTBE) was detected in water within the basement of the building. The MTBE was attributed to the presence of boats and fueling stations, as MTBE was not a contaminant of concern associated with the herbicide.

Dewatering will be conducted from sumps located inside the basement of the Custom House Block. Dewatering is necessary to control groundwater seepage through granite block foundation walls. Dewatering is anticipated to begin in early August 2015.

Prior to discharge, collected water will be routed through a sedimentation tank, at a minimum, to remove suspended solids. Construction dewatering under this DGP NOI will include piping and discharging to Boston Harbor. Oil absorbent materials (booms and pads) will be utilized to remove sheens to the extent practical prior to discharge to Boston Harbor. Given that Boston Harbor water will be pumped from the basement and then discharged back to Boston Harbor additional treatment is not anticipated to be required.

## Appendices

The completed "Suggested Notice of Intent" (NOI) form as provided in the DGP is enclosed in Appendix A. The site operator is Chutehal International LTD (Chutehal). Chutehal is the contractor retained to complete the dewatering activities. Haley & Aldrich will monitor the Contractor's dewatering activities on behalf of the property owner CAP-Long Wharf LLC.

A Best Management Practices Plan (BMPP), which outlines the proposed discharge operations covered under the DGP, is included in Appendix B. Appendices C and D include the National Register of Historic Places and the Endangered Species Act Documentation, respectively.

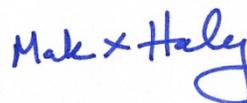
## Closing

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.



Todd R. Butler, P.E.  
Project Manager | Senior Engineering



Mark X. Haley, P.E.  
Senior Vice President

Figure 1 - Site Locus

Figure 2 - Proposed Subsurface Exploration and Dewatering Plan

Appendix A - Notice of Intent (NOI) for Remediation General Permit (RGP)

Appendix B - Best Management Practices Plan (BMPP)

Appendix C - National Register of Historic Places and Massachusetts Historical  
Commission Documentation

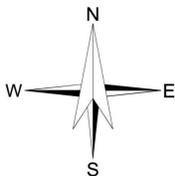
Appendix D - Endangered Species Act Documentation



SITE COORDINATES: 42°21'37"N, 71°2'56"W

**HALEY  
ALDRICH**

CUSTOM HOUSE BLOCK  
62-70 LONG WHARF  
BOSTON, MASSACHUSETTS

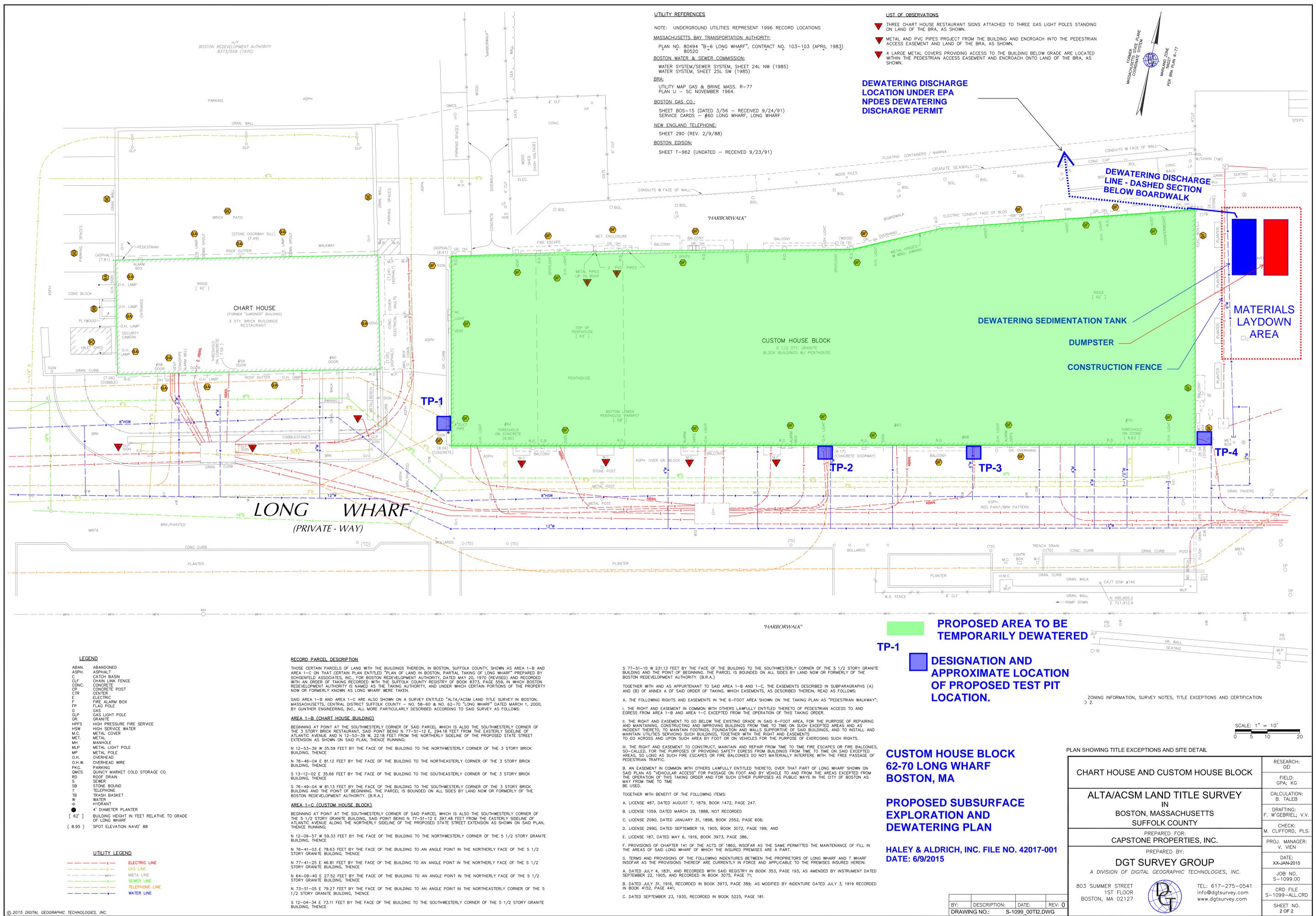


U.S.G.S. QUADRANGLE: BOSTON SOUTH, MA

**PROJECT LOCUS**

SCALE: 1:24,000  
MARCH 2015

**FIGURE 1**



**UTILITY REFERENCES**

NOTE: UNDERGROUND UTILITIES REPRESENT 1996 RECORD LOCATIONS  
**MASSACHUSETTS BAY TRANSPORTATION AUTHORITY:**  
 PLAN NO. 80494 "B-6 LONG WHARF", CONTRACT NO. 103-103 (APRIL 1983) 80520  
**BOSTON WATER & SEWER COMMISSION:**  
 WATER SYSTEM/SEWER SYSTEM, SHEET 24L NW (1985)  
 WATER SYSTEM, SHEET 25L SW (1985)  
**BRA:**  
 UTILITY MAP GAS & BRINE MASS. R-77  
 PLAN U - SC NOVEMBER 1964.  
**BOSTON GAS CO.:**  
 SHEET BOS-15 (DATED 3/56 - RECEIVED 9/24/91)  
 SERVICE CARDS - #60 LONG WHARF, LONG WHARF  
**NEW ENGLAND TELEPHONE:**  
 SHEET 290 (REV. 2/9/88)  
**BOSTON EDISON:**  
 SHEET T-962 (UNDATED - RECEIVED 9/23/91)

**LIST OF OBSERVATIONS**

- ▼ THREE CHART HOUSE RESTAURANT SIGNS ATTACHED TO THREE GAS LIGHT POLES STANDING ON LAND OF THE BRA, AS SHOWN.
- ▼ METAL AND PVC PIPES PROJECT FROM THE BUILDING AND ENCR OACH INTO THE PEDESTRIAN ACCESS EASEMENT AND LAND OF THE BRA, AS SHOWN.
- ▼ 4 LARGE METAL COVERS PROVIDING ACCESS TO THE BUILDING BELOW GRADE ARE LOCATED WITHIN THE PEDESTRIAN ACCESS EASEMENT AND ENCR OACH ONTO LAND OF THE BRA, AS SHOWN.

**DEWATERING DISCHARGE LOCATION UNDER EPA NPDES DEWATERING DISCHARGE PERMIT**

**DEWATERING DISCHARGE LINE - DASHED SECTION BELOW BOARDWALK**

**MATERIALS LAYDOWN AREA**

**DEWATERING SEDIMENTATION TANK**

**DUMPSTER**

**CONSTRUCTION FENCE**

**LONG WHARF (PRIVATE - WAY)**

**"HARBORWALK"**

**PROPOSED AREA TO BE TEMPORARILY DEWATERED**

**DESIGNATION AND APPROXIMATE LOCATION OF PROPOSED TEST PIT LOCATION.**

**CUSTOM HOUSE BLOCK 62-70 LONG WHARF BOSTON, MA**

**PROPOSED SUBSURFACE EXPLORATION AND DEWATERING PLAN**

**HALEY & ALDRICH, INC. FILE NO. 42017-001 DATE: 6/9/2015**

**LEGEND**

- ABAN. ABANDONED
- ASPH. ASPHALT
- CATCH BASIN
- CLF CHAIN LINK FENCE
- CONC. CONCRETE
- CP CONCRETE POST
- CTR CENTER
- E ELECTRIC
- FP FIRE ALARM BOX
- FLG FLAG POLE
- G GAS
- GLP GAS LIGHT POLE
- GR. GRANITE
- HPFS HIGH PRESSURE FIRE SERVICE
- HSW HIGH SERVICE WATER
- M.C. METAL COVER
- MET. METAL
- MH MANHOLE
- MLP METAL LIGHT POLE
- MP METAL POLE
- OH. OVERHEAD
- OH.W. OVERHEAD WIRE
- PKG. PARKING
- QMS QUINCY MARKET COLD STORAGE CO.
- RD ROOF DRAIN
- SEW. SEWER
- SB STONE BOUND
- S STONE
- TRASH BASKET
- TB TRASH BASKET
- W WATER
- HYDRANT 4" DIAMETER PLANTER
- [ 62' ] BUILDING HEIGHT IN FEET RELATIVE TO GRADE OF LONG WHARF
- ( 8.95 ) SPOT ELEVATION NAVD' 88

**UTILITY LEGEND**

- ELECTRIC LINE
- GAS LINE
- MBTA LINE
- SEWER LINE
- TELEPHONE LINE
- WATER LINE

**RECORD PARCEL DESCRIPTION**

THOSE CERTAIN PARCELS OF LAND WITH THE BUILDINGS THEREON, IN BOSTON, SUFFOLK COUNTY, SHOWN AS AREA 1-B AND AREA 1-C ON THAT CERTAIN PLAN ENTITLED "PLAN OF LAND IN BOSTON, PARTIAL TAKING OF LONG WHARF" PREPARED BY SCHENFELD ASSOCIATES, INC. FOR BOSTON REDEVELOPMENT AUTHORITY, DATED MAY 20, 1970 (REVISED) AND RECORDED WITH AN ORDER OF TAKING RECORDED WITH THE SUFFOLK COUNTY REGISTRY OF BOOK 8373, PAGE 559, IN WHICH BOSTON REDEVELOPMENT AUTHORITY IS NAMED AS THE TAKING AUTHORITY, AND UNDER WHICH CERTAIN PORTIONS OF THE PROPERTY NOW OR FORMERLY KNOWN AS LONG WHARF WERE TAKEN.

SAID AREA 1-B AND AREA 1-C ARE ALSO SHOWN ON A SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY IN BOSTON, MASSACHUSETTS, CENTRAL DISTRICT SUFFOLK COUNTY - NO. 58-60 & NO. 62-70 "LONG WHARF" DATED MARCH 1, 2000, BY GUNTHER ENGINEERING, INC., ALL MORE PARTICULARLY DESCRIBED ACCORDING TO SAID SURVEY AS FOLLOWS:

**AREA 1-B (CHART HOUSE BUILDING)**

BEGINNING AT POINT AT THE SOUTHWESTERLY CORNER OF SAID PARCEL WHICH IS ALSO THE SOUTHWESTERLY CORNER OF THE 3 STORY BRICK RESTAURANT, SAID POINT BEING N 77-51-12 E 294.18 FEET FROM THE EASTERLY SIDELINE OF ATLANTIC AVENUE, AND N 12-53-39 W, 22.18 FEET FROM THE NORTHERLY SIDELINE OF THE PROPOSED STATE STREET EXTENSION AS SHOWN ON SAID PLAN, THENCE RUNNING:

N 12-53-39 W 35.59 FEET BY THE FACE OF THE BUILDING TO THE NORTHERLY CORNER OF THE 3 STORY BRICK BUILDING, THENCE

N 76-46-04 E 81.12 FEET BY THE FACE OF THE BUILDING TO THE NORTHEASTERLY CORNER OF THE 3 STORY BRICK BUILDING, THENCE

S 13-12-02 E 35.96 FEET BY THE FACE OF THE BUILDING TO THE SOUTHEASTERLY CORNER OF THE 3 STORY BRICK BUILDING, THENCE

S 76-49-04 W 81.13 FEET BY THE FACE OF THE BUILDING TO THE SOUTHWESTERLY CORNER OF THE 3 STORY BRICK BUILDING AND THE POINT OF BEGINNING, THE PARCEL IS BOUNDED ON ALL SIDES BY LAND NOW OR FORMERLY OF THE BOSTON REDEVELOPMENT AUTHORITY. (B.R.A.)

**AREA 1-C (CUSTOM HOUSE BLOCK)**

BEGINNING AT POINT AT THE SOUTHWESTERLY CORNER OF SAID PARCEL WHICH IS ALSO THE SOUTHWESTERLY CORNER OF THE 5 1/2 STORY GRANITE BUILDING, SAID POINT BEING N 77-51-12 E 397.48 FEET FROM THE EASTERLY SIDELINE OF ATLANTIC AVENUE, ALONG THE NORTHERLY SIDELINE OF THE PROPOSED STATE STREET EXTENSION AS SHOWN ON SAID PLAN, THENCE RUNNING:

N 12-09-57 W 59.33 FEET BY THE FACE OF THE BUILDING TO THE SOUTHWESTERLY CORNER OF THE 5 1/2 STORY GRANITE BUILDING, THENCE

N 76-41-03 E 78.63 FEET BY THE FACE OF THE BUILDING TO AN ANGLE POINT IN THE NORTHERLY FACE OF THE S 1/2 STORY GRANITE BUILDING, THENCE

N 77-41-25 E 46.81 FEET BY THE FACE OF THE BUILDING TO AN ANGLE POINT IN THE NORTHERLY FACE OF THE S 1/2 STORY GRANITE BUILDING, THENCE

N 64-09-40 E 27.82 FEET BY THE FACE OF THE BUILDING TO AN ANGLE POINT IN THE NORTHERLY FACE OF THE 5 1/2 STORY GRANITE BUILDING, THENCE

N 73-51-05 E 79.27 FEET BY THE FACE OF THE BUILDING TO AN ANGLE POINT IN THE NORTHEASTERLY CORNER OF THE 5 1/2 STORY GRANITE BUILDING, THENCE

S 12-04-34 E 73.11 FEET BY THE FACE OF THE BUILDING TO THE SOUTHWESTERLY CORNER OF THE 5 1/2 STORY GRANITE BUILDING, THENCE

S 77-51-10 W 231.13 FEET BY THE FACE OF THE BUILDING TO THE SOUTHWESTERLY CORNER OF THE 5 1/2 STORY GRANITE BUILDING AND THE POINT OF BEGINNING, THE PARCEL IS BOUNDED ON ALL SIDES BY LAND NOW OR FORMERLY OF THE BOSTON REDEVELOPMENT AUTHORITY. (B.R.A.)

TOGETHER WITH AND AS APPURTENANT TO SAID AREA 1-B AND 1-C, THE EASEMENTS DESCRIBED IN SUBPARAGRAPHS (A) AND (B) OF ANNEX A OF SAID ORDER OF TAKING, WHICH EASEMENTS, AS DESCRIBED THEREIN, READ AS FOLLOWS:

A. THE FOLLOWING RIGHTS AND EASEMENTS IN THE 6-FOOT AREA SHOWN ON THE TAKING PLAN AS "PEDESTRIAN WALKWAY";

I. THE RIGHT AND EASEMENT IN COMMON WITH OTHERS LAWFULLY ENTITLED THERETO OF PEDESTRIAN ACCESS TO AND EGRESS FROM AREA 1-B AND AREA 1-C EXCEPTED FROM THE OPERATION OF THIS TAKING ORDER.

II. THE RIGHT AND EASEMENT TO GO BELOW THE EXISTING GRADE IN SAID 6-FOOT AREA, FOR THE PURPOSE OF REPAIRING AND MAINTAINING, CONSTRUCTING AND IMPROVING BUILDINGS FROM TIME TO TIME ON SUCH EXCEPTED AREAS AND AS INCIDENT THERETO, TO MAINTAIN FOOTINGS, FOUNDATION AND WALLS SUPPORTIVE OF SAID BUILDINGS, AND TO INSTALL AND MAINTAIN UTILITIES SERVING SUCH BUILDINGS, TOGETHER WITH THE RIGHT AND EASEMENTS TO GO ACROSS AND UPON SUCH AREA BY FOOT OR ON VEHICLES FOR THE PURPOSE OF EXERCISING SUCH RIGHTS.

III. THE RIGHT AND EASEMENT TO CONSTRUCT, MAINTAIN AND REPAIR FROM TIME TO TIME FIRE ESCAPES OR FIRE BALCONIES, SO-CALLED, FOR THE PURPOSES OF PROVIDING SAFETY EGRESS FROM BUILDINGS FROM TIME TO TIME ON SAID EXCEPTED AREAS, SO LONG AS SUCH FIRE ESCAPES OR FIRE BALCONIES DO NOT MATERIALLY INTERFERE WITH THE FREE PASSAGE OF PEDESTRIAN TRAFFIC.

B. AN EASEMENT IN COMMON WITH OTHERS LAWFULLY ENTITLED THERETO, OVER THAT PART OF LONG WHARF SHOWN ON SAID PLAN AS "VEHICULAR ACCESS" FOR PASSAGE ON FOOT AND BY VEHICLE TO AND FROM THE AREAS EXCEPTED FROM THE OPERATION OF THIS TAKING ORDER AND FOR SUCH OTHER PURPOSES AS PUBLIC WAYS IN THE CITY OF BOSTON AS MAY FROM TIME TO TIME BE USED.

TOGETHER WITH BENEFIT OF THE FOLLOWING ITEMS:

A. LICENSE 487, DATED AUGUST 7, 1879, BOOK 1472, PAGE 247.

B. LICENSE 1059, DATED MARCH 29, 1888, NOT RECORDED

C. LICENSE 2090, DATED JANUARY 31, 1898, BOOK 2552, PAGE 606;

D. LICENSE 2990, DATED SEPTEMBER 19, 1905, BOOK 3072, PAGE 199; AND

E. LICENSE 187, DATED MAY 6, 1916, BOOK 3973, PAGE 386.

F. PROVISIONS OF CHAPTER 141 OF THE ACTS OF 1860, IN SO FAR AS THE SAME PERMITTED THE MAINTENANCE OF FILL IN THE AREAS OF SAID LONG WHARF OF WHICH THE INSURED PREMISES ARE A PART.

G. TERMS AND PROVISIONS OF THE FOLLOWING INDENTURES BETWEEN THE PROPRIETORS OF LONG WHARF AND T. WHARF IN SO FAR AS THE PROVISIONS THEREOF ARE CURRENTLY IN FORCE AND APPLICABLE TO THE PREMISES INSURED HEREIN:

A. DATED JULY 4, 1831, AND RECORDED WITH SAID REGISTRY IN BOOK 353, PAGE 193, AS AMENDED BY INSTRUMENT DATED SEPTEMBER 22, 1905, AND RECORDED IN BOOK 3075, PAGE 71;

B. DATED JULY 31, 1916, RECORDED IN BOOK 3973, PAGE 389; AS MODIFIED BY INDENTURE DATED JULY 3, 1919 RECORDED IN BOOK 4152, PAGE 441;

C. DATED SEPTEMBER 23, 1930, RECORDED IN BOOK 5225, PAGE 181.

ZONING INFORMATION, SURVEY NOTES, TITLE EXCEPTIONS AND CERTIFICATION

SCALE: 1" = 10'

PLAN SHOWING TITLE EXCEPTIONS AND SITE DETAIL

CHART HOUSE AND CUSTOM HOUSE BLOCK		RESEARCH: GEI
ALTA/ACSM LAND TITLE SURVEY		FIELD: GPA; KG
IN BOSTON, MASSACHUSETTS SUFFOLK COUNTY		CALCULATION: B. TALEB
PREPARED FOR: CAPSTONE PROPERTIES, INC.		DRAFTING: F. W'GEBRIEL; V.V.
PREPARED BY: DGT SURVEY GROUP		CHECK: M. CLIFFORD, PLS.
A DIVISION OF DIGITAL GEOGRAPHIC TECHNOLOGIES, INC.		PROJ. MANAGER: V. VIEN
803 SUMMER STREET BOSTON, MA 02127		DATE: XX-JAN-2015
TEL: 617-275-0541 info@dgturvey.com www.dgturvey.com		JOB NO: S-1099.00
BY: DESCRIPTION: DATE: REV: 0		CRD FILE: S-1099-ALL.CRD
DRAWING NO.: S-1099_00T12.DWG		SHEET NO: 2 OF 2

**FIGURE 2**

**APPENDIX A**

**Notice of Intent (NOI) for Remediation General Permit (RGP)**

## II. Suggested Notice of Intent (NOI) Format

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

a) Name of facility:	Mailing Address for the Facility:	
b) Location Address of the Facility (if different from mailing address):	Facility Location	Type of Business:
	longitude: _____ latitude: _____	Facility SIC codes:
c) Name of facility owner: _____ Owner's email: _____ Owner's Tel #: _____ Owner's Fax #: _____ Address of owner (if different from facility address) 31 St James Ave Boston, MA 02116  Owner is (check one): 1. Federal _____ 2. State _____ 3. Private _____ 4. Other _____ (Describe) _____		
Legal name of Operator, if not owner: _____ Operator Contact Name: _____ Operator Tel Number: _____ Fax Number: _____ Operator's email: _____ Operator Address (if different from owner) P.O Box 381992 Cambridge, MA 02238		
d) Attach a topographic map indicating the location of the facility and the outfall(s) to the receiving water. Map attached? _____		
e) Check Yes or No for the following: 1. Has a prior NPDES permit been granted for the discharge? Yes _____ No _____ If Yes, Permit Number: _____ 2. Is the discharge a "new discharger" as defined by 40 CFR Section 122.2? Yes _____ No _____ 3. Is the facility covered by an individual NPDES permit? Yes _____ No _____ If Yes, Permit Number _____ 4. Is there a pending application on file with EPA for this discharge? Yes _____ No _____ If Yes, date of submittal: _____		

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

a) Name of receiving water into which discharge will occur: \_\_\_\_\_  
State Water Quality Classification: \_\_\_\_\_ 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. Pump Test. Propose to temporary pump out basement that floods tidally to find leaks

c) Number of outfalls \_\_\_\_\_ Propose Direct Discharge to Boston Harbor

For each outfall:

d) Estimate the maximum daily and average monthly flow of the discharge (in gallons per day – GPD). Max Daily Flow \_\_\_\_\_ GPD  
Average Monthly Flow \_\_\_\_\_ GPD

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

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. Surface Water.

g.) What treatment does the wastewater receive prior to discharge? Sedimentation control. Oil absorbent materials will be used to control sheen, as required. See cover letter for additional information.

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) \_\_\_\_\_  
If (P), number of days or months per year of the discharge \_\_\_\_\_ and the specific months of discharge \_\_\_\_\_;  
If (I), number of days/year there is a discharge \_\_\_\_\_  
Is the discharge temporary? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, approximate start date of dewatering \_\_\_\_\_ approximate end date of dewatering \_\_\_\_\_

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. \_\_\_\_\_ lat. \_\_\_\_\_; 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 \_\_\_\_\_ cfs  
(See Appendix VIII for equations and additional information)

<p><b>MASSACHUSETTS FACILITIES:</b> See Section 3.4 and Appendix 1 of the General Permit for more information on Areas of Critical Environmental Concern (ACEC):</p> <p>k.) Does the discharge occur in an ACEC? Yes _____ No _____          If yes, provide the name of the ACEC: _____</p>

**3. Contaminant Information**

<p>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. _____ Discharge area is large boat dock for commercial and private boats. Sheen anticipated on water.</p> <p>b) Please report any known remediation activities or water-quality issues in the vicinity of the discharge. _____</p>
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**4. Determination of Endangered Species Act Eligibility:** Provide documentation of ESA eligibility as required at Part 3.4 and Appendix IV. In addition, respond to the following questions.

<p>a) Which of the three eligibility criteria listed in Appendix IV, Criterion (A, B, or C) have you met? _____</p> <p>b) Please attach documentation with your NOI supporting your response. Please see Appendix IV for acceptable documentation</p>
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**5. Documentation of National Historic Preservation Act requirements:** Please respond to the following questions:

<p>a) See Screening Process in Appendix III and respond to questions regarding your site and any historic properties listed or eligible for listing on the National Register of Historic Places. Question 1: Yes _____ No _____ ; Question 2: No _____ Yes _____</p> <p>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).</p> <p>c) Which of the three National Historic Preservation Act eligibility criterion listed in Appendix III, Criterion (A, B, or C) have you met? _____</p> <p>d) Is the project located on property of religious or cultural significance to an Indian Tribe? Yes _____ or No _____ If yes, provide that name of the Indian Tribe associated with the property. _____</p>
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**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

**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.

<b>Facility Name:</b>
<b>Operator signature:</b>
<b>Print Full Name and Title:</b> Alf Chute, President 
<b>Date:</b> 06/06/15

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.

**APPENDIX B**

**Best Management Practices Plan (BMPP)**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DEWATERING GENERAL PERMIT  
CUSTOM HOUSE BLOCK, LONG WHARF  
BOSTON, MASSACHUSETTS**

**Best Management Practices Plan**

A Notice of Intent for a Dewatering General Permit (DGP) under the National Pollutant Discharge Elimination System (NPDES) has been submitted to the US Environmental Protection Agency (EPA) in anticipation of temporary construction dewatering planned to occur at the Custom House Block project site located in Boston, Massachusetts. This Best Management Practices Plan (BMPP) has been prepared as an Appendix to the DGP and will be posted at the site during the time period that temporary construction dewatering is occurring at the site.

**Water Treatment and Management**

Construction dewatering effluent is anticipated to be pumped from sump pits within the basement of the building, through hoses or temporary pipe, and directed into a tank for sedimentation control. The effluent will then flow through any necessary treatment systems and discharge through hoses or temporary piping to Boston Harbor. Dewatering effluent treatment will consist of sedimentation control.

**Discharge Monitoring and Compliance**

Regular sampling and testing will be conducted at the influent to the system and the treated effluent as required by the EPA in accordance with the DGP.

Monitoring will include checking the condition of the treatment system, assessing the need for treatment system adjustments based on monitoring data, observing and recording daily flow rates and discharge quantities, and verifying the flow path of the discharged effluent.

The total monthly flow will be monitored by checking and documenting the flow through the flow meter to be installed on the system. Flow will be maintained below the “system design flow” by regularly monitoring flow and adjusting the amount of construction dewatering as needed.

Monthly monitoring reports will be compiled and maintained at the site.

**System Maintenance**

A number of methods will be used to minimize the potential for violations for the term of this permit. Scheduled regular maintenance of the treatment system will be conducted to verify proper operation. Regular maintenance will include checking the condition of the treatment system equipment such as the fractionation tanks, filters, hoses, pumps, and flow meters. Equipment will be monitored daily for potential issues or unscheduled maintenance requirements.

Employees who have direct or indirect responsibility for ensuring compliance with the DGP will be trained by the Operator.

**Management of Treatment System Materials**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DEWATERING GENERAL PERMIT  
CUSTOM HOUSE BLOCK, LONG WHARF  
BOSTON, MASSACHUSETTS**

Dewatering effluent will be pumped directly to the treatment system from the basement with use of hoses and sumps to minimize handling. The Contractor will establish staging areas for equipment or materials storage that may be possible sources of pollution away from any dewatering activities, to the extent practicable.

Sediment from the fractionization tank used in the treatment system will be returned to the basement area once the pump test is completed. Bag filters, if used, will be disposed of as necessary.

G:\42017\001\Dewatering\NOI\1 - Report\APP B - BMPS\2015 0722-Custom House DGP BMPP-D1.doc

**APPENDIX C**

**National Register of Historic Places and  
Massachusetts Historical Commission Documentation**

RECEIVED

JUN 26 2015

MASS. HIST. COMM

RC.58347

APPENDIX A

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD  
BOSTON, MASS. 02125  
617-727-8470, FAX: 617-727-5128

PROJECT NOTIFICATION FORM

Project Name: Custom House Block – Temporary Dewatering Project

Location / Address: 62-70 Long Wharf

City / Town: Boston, Massachusetts

Project Proponent

Name: Haley & Aldrich, Inc.

Address: 465 Medford St. Suite 2200

City/Town/Zip/Telephone: Boston, MA02129

**After review of the MHC's files and the materials you submitted, the MHC has determined that the proposed project will have "no adverse effect" on significant historic or archaeological properties.**

*Brona Simon 7/20/15*

Brona Simon Date  
Executive Director  
State Historic Preservation Officer  
Massachusetts Historical Commission

Agency license or funding for the project (list all licenses, permits, approvals, grants or other entitlements being sought from state and federal agencies).

Agency Name

Type of License or funding (specify)

Environmental Protection Agency

National Pollution Discharge Elimination System (NPDES)  
Dewatering Permit

**Project Description (narrative):**

**Background:**

The Custom House Block is a five-story brick and granite building located on Long Wharf in Boston, Massachusetts as indicated on the attached Figure 1. The building was constructed c.1848. It originally served as a warehouse and today is used as commercial office space. The ground level floor is at about El.15.4 +/- and the basement level floor is at El. 6.5 +/- . The foundation system is believed to be stacked granite blocks supported on wood pilings. It is assumed that the load carrying capacity of the wood pilings is derived from the marine clay deposit located below the organic silt and fill layers at depths estimated to be 35-40 feet below the existing ground surface. The MBTA Blue Line tunnel passes under the southeast corner of the building.

The basement of the Custom House Block floods tidally and has flooded since at least the early 1940s. Originally, the basement was kept dry by a below grade clay dam on the exterior of the building. The flooding is believed to be associated with the clay dam being compromised when trenches were excavated and backfilled with more porous materials to bring below grade utilities into the building. The current owner would like to undertake this limited dewatering study to determine it is feasible to stop the flooding and dry out the basement.

To investigate the basement flooding, Haley & Aldrich proposes to hand excavate four test pits along the exterior walls of the building to define near surface underground conditions and to perform a pump test within the basement to try to identify locations where sea water leaks into the basement. The pump test will consist of pumping water out of the basement at low tide and observing water infiltration during the rising tide. This effort will be repeated as needed to identify leaks. It is expected that this work will take about one week to complete.

The attached Figure 2 shows the locations and the proposed test pits and the area of the basement to be dewatered.

**Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.**

No

**Does the project include rehabilitation of any existing buildings? If so, specify nature of rehabilitation and describe the building(s) which are proposed for rehabilitation.**

No

**Does the project include new construction? If so, describe (attach plans and elevations if necessary)**

No

**To the best of your knowledge, are any historic or archaeological properties known to exist within the project's area of potential impact? If so, specify**

No. It is believed that all the areas involved in this project, including the locations of the test pits, have been previously disturbed.

**What is the total acreage of the project area?**

Woodland _____ acres	Productive Resources:
Wetland _____ acres	Agriculture _____ acres
Floodplain _____ acres	Forestry _____ acres
Open space _____ acres	Mining/Extraction _____ acres
Developed <u>0.3</u> acres	Total Project Acreage <u>0.3</u> acres

**What is the acreage of the proposed new construction? N/A \_\_\_\_\_ acres**

**What is the present land use of the project area?**

Surrounding the Custom House Block is the historic Long Wharf. It consists of paved public spaces that provide access to the Boston waterfront.

**Please attach a copy of the section of the USGS quadrangle map which clearly marks the project location.**

Please see attached Figure 3 for USGS quadrangle map

This Project Notification Form has been submitted to the MHC in compliance with 950 CMR 71.00.

Signature of Person submitting this form: Todd R. Butler Date: 6/23/2015

Name: Todd R. Butler, Haley & Aldrich, Inc.

Address: 465 Medford St., Suite 2200

City/Town/Zip: Charlestown, MA 02129

Telephone: 617.886.7424 (O) 617.908.2753 (C)

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.

**Attachments:**

**Figure 1 – Project Locus**

**Figure 2 – Proposed Subsurface Exploration and Dewatering Plan**

**Figure 3 – USGS Quadrangle Map**

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

**Appendix D**

**Endangered Species Act Documentation**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 COMMERCIAL STREET, SUITE 300  
CONCORD, NH 3301  
PHONE: (603)223-2541 FAX: (603)223-0104  
URL: [www.fws.gov/newengland](http://www.fws.gov/newengland)

Consultation Code: 05E1NE00-2015-SLI-0484

May 31, 2015

Event Code: 05E1NE00-2015-E-00808

Project Name: Custom House Long Wharf Pump Test

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Custom House Long Wharf Pump Test

## Official Species List

### Provided by:

New England Ecological Services Field Office  
70 COMMERCIAL STREET, SUITE 300  
CONCORD, NH 3301  
(603) 223-2541  
<http://www.fws.gov/newengland>

**Consultation Code:** 05E1NE00-2015-SLI-0484

**Event Code:** 05E1NE00-2015-E-00808

**Project Type:** \*\* OTHER \*\*

**Project Name:** Custom House Long Wharf Pump Test

**Project Description:** The basement of the building floods tidally with sea water. A pump test is proposed to dewater the basement area and locate leaks into the basement.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Custom House Long Wharf Pump Test

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-71.04928404092789 42.360246432150376, -71.04923576116562 42.36007598456569, -71.0484927892685 42.36019688348155, -71.04854643344879 42.36039111403966, -71.04928404092789 42.360246432150376)))

**Project Counties:** Suffolk, MA



United States Department of Interior  
Fish and Wildlife Service

Project name: Custom House Long Wharf Pump Test

## Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Red Knot ( <i>Calidris canutus rufa</i> )	Threatened		
Roseate tern ( <i>Sterna dougallii dougallii</i> ) Population: northeast U.S. nesting pop.	Endangered		



United States Department of Interior  
Fish and Wildlife Service

Project name: Custom House Long Wharf Pump Test

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.

## Butler, Todd

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**From:** Tur, Maria <maria\_tur@fws.gov>  
**Sent:** Friday, June 05, 2015 2:19 PM  
**To:** Butler, Todd  
**Subject:** Re: Proposed Pump Test at 62-70 Long Wharf Boston, MA

Hello Mr. Butler,

There is no suitable roseate tern or red knot habitat within your project area. Therefore I agree that neither species is likely to occur within your project area. Thank you for coordinating.

Maria E. Tur  
U.S. Fish and Wildlife Service  
New England Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301  
Phone (603) 223-2541 x6419  
FAX (603) 223-0104

<http://www.fws.gov/newengland/>

On Mon, Jun 1, 2015 at 11:46 AM, Butler, Todd <[TButler@haleyaldrich.com](mailto:TButler@haleyaldrich.com)> wrote:

Good Moring Maria,

This e-mail is a follow-up to our phone conversation earlier today. As we discussed, we are currently preparing a NPDES dewatering permit Notification of Intent for a temporary dewatering permit. As part of the process we utilized the IPaC system and identified two endangered species in the area of the project: Red Knot and Roseate tern.

The project location is as follows:

Custom House Block

62-70 Long Wharf

Boston, MA

The building is located on Long Wharf in Boston and the basement floods tidally with sea water. We are proposing to conduct a pump test of the basement by pumping out the water at low tide and looking for leaks in the basement when the tide comes back in. We plan to pump the water through a sedimentation tank to remove total suspended solids and then discharge the water back into Boston Harbor.

Long Wharf is defined by granite block sea walls on three sides and there are no sandy beach areas surrounding the Wharf. Based on our review of propose activities it is our opinion we are “not likely to adversely affect” the two endangered birds listed by the IPaC system. Could you please reply to this e-mail confirming that you concur with our findings.

Please let me know if you have any questions or require additional information.

Thank you,

Todd Butler

**Todd Butler, P.E.**

Project Manager

**Haley & Aldrich, Inc.**

465 Medford Street, Suite 2200

Boston, Massachusetts 02129-1400

T: 617.886.7424 | C: 617.908.2753

[www.haleyaldrich.com](http://www.haleyaldrich.com)