



**NOTICE OF INTENT FOR DISCHARGE  
PURSUANT TO MASSACHUSETTS  
DEWATERING GENERAL PERMIT  
MAG070000**

**ENTERPRISE GARAGE  
BROCKTON, MASSACHUSETTS**

**OCTOBER 11, 2018**

Prepared For:  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
DEWATERING GP PROCESSING  
INDUSTRIAL PERMIT UNIT (OEP 06-4)  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912

On Behalf Of:  
Colantonio Inc  
15 Everett Street  
Holliston, MA 01746

2269 Massachusetts Avenue  
Cambridge, MA 02140  
www.mcphailgeo.com  
(617) 868-1420

**PROJECT NO. 5159**



October 11, 2018

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

Attention: To Whom It May Concern

Reference: Brockton Enterprise Garage; 31 Petronelli Way; Brockton, Massachusetts  
Notice of Intent for Temporary Construction Dewatering Discharge;  
Massachusetts Dewatering General Permit MAG070000

Ladies and Gentlemen:

In accordance with the provisions of the Dewatering General Permit MAG070000 (DGP) that was issued to the Commonwealth of Massachusetts by the US EPA, the following is a summary of the site and relevant information in support of a Notice of Intent (NOI) for the discharge of construction dewatering into Trout Brook via the Town of Brockton storm drain system. The temporary discharge of accumulated surface water in proposed construction excavations may occur during development of the Enterprise Garage located along Petronelli Way in Brockton, Massachusetts (the "subject site"). Refer to **Figure 1**, Project Location Plan for the general site locus.

This permit application was prepared in accordance with our proposal dated August 6, 2018, and the subsequent authorization of The Brockton Redevelopment Authority. These services are subject to the limitations contained in **Appendix A**.

The applicable DGP Notice of Intent (NOI) Form is included in **Appendix B**.

**Applicant/Operator**

The applicant for the Notice of Intent-Dewatering General Permit is:

Colantonio Inc  
16 Everett Street  
Holliston, MA 01746

Attention: Ms. Kimberly Joyce  
Email: kjoyce@colantonioinc.com

Telephone: (508)-429-8666



### **Existing Conditions**

The Enterprise Garage property is an approximate 37,000 square-foot, rectangle-shaped parcel, addressed 31 Petronelli Way. Fronting onto Petronelli Way to the north, Montello Street to the east and is generally bounded by commercial properties on the remaining sides. The site is currently an asphalt paved parking lot and the remainder of the property is occupied by landscaped margins.

The existing ground surface across the property is understood to be generally level, with elevations ranging from approximately Elevation +113 to +104.

The approximate location of the subject site is indicated on **Figure 2**.

### **Proposed Scope of Site Development**

The Brockton Redevelopment Authority Enterprise Garage development is understood to consist of a 5-story parking garage (including sub-grade parking) which will occupy approximately 26,000 square feet. The parking garage is proposed to front onto, and be accessed from, Petronelli Way.

Based upon preliminary estimates, approximately 8,000 cubic yards of excess soil will likely be generated during construction of the garage, which will be handled under a subject site-specific soil management plan.

### **Site Environmental Setting, Review of MassDEP-listed Disposal Sites, Endangered Species and Surrounding Historical Places**

Based on an on-line edition of the MassDEP Phase I Site Assessment Map (Phase I Map) viewed on September 18, 2018 the subject site is not located within the boundaries of a Sole Source Aquifer, Potentially Productive Aquifer or within a Zone II Interim Wellhead Protection Area as defined by the Massachusetts Department of Environmental Protection (MassDEP). Further, there are no public drinking water supply wells, no Areas of Critical Environmental Concern, no fish habitats, no habitats of Species of Special Concern or Threatened or Endangered Species within specified distances of the subject site. The site is not located within the limits of the 100-year flood plain.

The Phase I Map indicates that no water bodies or wetland areas exist at the subject site. The nearest water body is Trout Brook which is located approximately 1,500 feet east of the subject site. No areas designated as solid waste sites (landfills) are noted as being located within 1,000 feet of the site. According to the Phase I Map, the nearest protected open space is located about 1,500 to the southeast of the subject site. A copy of the Phase I Map is included in **Appendix C**.



US EPA  
40 Stow Street  
October 11, 2018; Page 3

Based upon a review of information provided in an Information for Planning and Conservation Trust Resource Report (IPaC Report) prepared by the U.S. Fish and Wildlife Service for the subject site, the proposed discharge site is located within the territory of the Northern Long-eared Bat which is a northeastern threatened species, but is not a species of concern under the Endangered Species Act and the DGP. The proposed discharge is not considered likely to have an impact. In addition, no critical habitat exists in the vicinity of the discharge. Based upon the above, the site is considered a Criterion C pursuant to Appendix IV of the DGP. A copy of the IPaC Report is included in **Appendix C**.

A review of the Massachusetts Cultural Resource Information System (MACRIS) has not identified the site as a state historic place. A copy of the MACRIS report is included in **Appendix C**.

### **Release History**

Three (3) MassDEP disposal sites relative to the subject site exist, however these disposal sites are not considered to impact this DGP. All disposal sites have achieved regulatory closure with the MassDEP and based upon review of available documents residual concentrations of contaminants, if present, will not be encountered during subject site development. A summary of each disposal site is provided below. Additional information is available on MassDEP's Energy and Environmental Affairs (on-line) Data Portal.

Release Tracking Number (RTN) 4-13882 was assigned to a release on May 14, 1998 relative to observation of soil headspace readings exceeding 100 parts per million (ppm) encountered during the removal of a 7,000-gallon No. 2 fuel oil underground storage tank (UST) that was located in the northwest portion of the subject site. Based upon a review of available documents response actions were conducted including a remedial excavation generating approximately 6 cubic yards of petroleum impacted remediation waste and assessment activities. According to the Class A-1 Response Action Outcome (RAO), submitted in July 1998, oil or hazardous material (OHM) associated with this release have been reduced to background levels.

RTN 4-13548 was assigned to a release on December 11, 1998 relative to observations of soil headspace readings in exceeding 100 ppm during UST removal activities. This release occurred in the eastern portion of the subject site. Based upon a review of available documents, response actions were conducted including, a remedial excavation generating approximately 400 cubic yards of petroleum impacted remediation waste and assessment activities. According to the Class A-2 RAO Statement, submitted on August 26, 2004, OHM exist above background concentration and no Activity or Use Limitations is required to maintain a level of no significant risk.

RTN 4-24206 was assigned to a release on October 31, 2012 relative to the detection of concentrations of OHM detected in soil and groundwater exceeding applicable MCP reporting concentrations. Specifically, 1,3,5-trimethylbenzene in soil exceeded RCS-1



US EPA  
40 Stow Street  
October 11, 2018; Page 4

standards and dissolved lead, benzene, p/m-xylene, C5-C8 aliphatics, and C9-C10 aromatics in groundwater exceeded the applicable RCGW-2 standards within the limits of the subject site. According to the Class B-1 RAO Statement, submitted on June 19, 2014, OHM exist above reportable concentrations exist within the subject site, but no Activity or Use Limitations is required to maintain a level of no significant risk as the results of a Method 3 Risk Characterization. Please note, that contaminated media with elevated concentrations above RCS-1 and RCGW-2 are not likely to be encountered during subject site activities due to the depth of the proposed location – 1,3,5 trimethylbenzene in soil above RCS-1 and the groundwater table is present below the vertical limits of the subject site.

### **Construction Site Dewatering**

Stabilized groundwater levels observed within the groundwater monitoring wells installed at the site ranged from about 9 to 11 feet below ground surface. It is anticipated that excavation for the lowest level floor slabs and depressed portions within the lowest level floor slab, will extend up to about 9 feet below ground surface and not expected to go below observed ground water elevation.

It is anticipated that construction dewatering will be stormwater entering the excavation and not generated from groundwater. Dewatering will be required to reduce onsite stormwater trapped in excavated areas.

A review of stormwater and sewer plans provided by the City of Brockton Water Department of Public Works indicates catch basins adjacent to the site located within Stow Street flow to a dedicated storm drain. The storm drain system ultimately discharges at an outfall location within Mill Brook. The location of the discharge locations in relation to the subject site are indicated on **Figure 2**. The flow path of the discharge is shown on **Figure 3**.

### **Summary of Groundwater Analysis**

Groundwater samples were not obtained in connection with this DGP application because proposed excavations will not extend below the previously observed groundwater elevation.

### **Groundwater Treatment**

Based on the results of the above referenced groundwater analyses, it is recommended that that a 5,000-gallon capacity settling tank and bag filters in series be utilized to to meet the applicable discharge limits of Total Suspended Solids construction dewatering to meet applicable effluent limits established by the US EPA prior to discharge out of the subject site. However, should the effluent monitoring results indicate levels of TSS in excess of the limits established in the Massachusetts DGP, additional mitigative measures will be implemented to meet the allowable discharge limits. A schematic of the treatment system is shown on **Figure 4**.



US EPA  
40 Stow Street  
October 11, 2018; Page 5

### **Summary and Conclusions**

The purpose of this report is to assess site environmental conditions and groundwater data to support an application for a Massachusetts Dewatering General Permit (DGP) for off-site discharge of surface water which will likely accumulate during development of the Enterprise Garage located along Petronelli Way in Brockton, Massachusetts (the "subject site").

Three (3) MassDEP disposal sites relative to the subject site exist, however these disposal sites are not considered to impact this DGP. All disposal sites have achieved regulatory closure with the MassDEP and based upon review of available documents residual concentrations of contaminants, if present, will not be encountered during subject site development.

It is recommended that treatment of construction dewatering will be utilized which consists of one 5,000-gallon capacity settling tank and bag filters in series to meet the applicable discharge limits of TSS. However, should the effluent monitoring results indicate levels of TSS in excess of the limits established in the Massachusetts DGP, additional mitigative measures will be implemented to meet the allowable discharge limits.

We trust that the above satisfies your present requirements. Should you have any questions or comments concerning the above, please do not hesitate to contact us.

Very truly yours,

McPHAIL ASSOCIATES, LLC

A handwritten signature in blue ink, appearing to read "Kirk W. Seaman", written over a horizontal line.

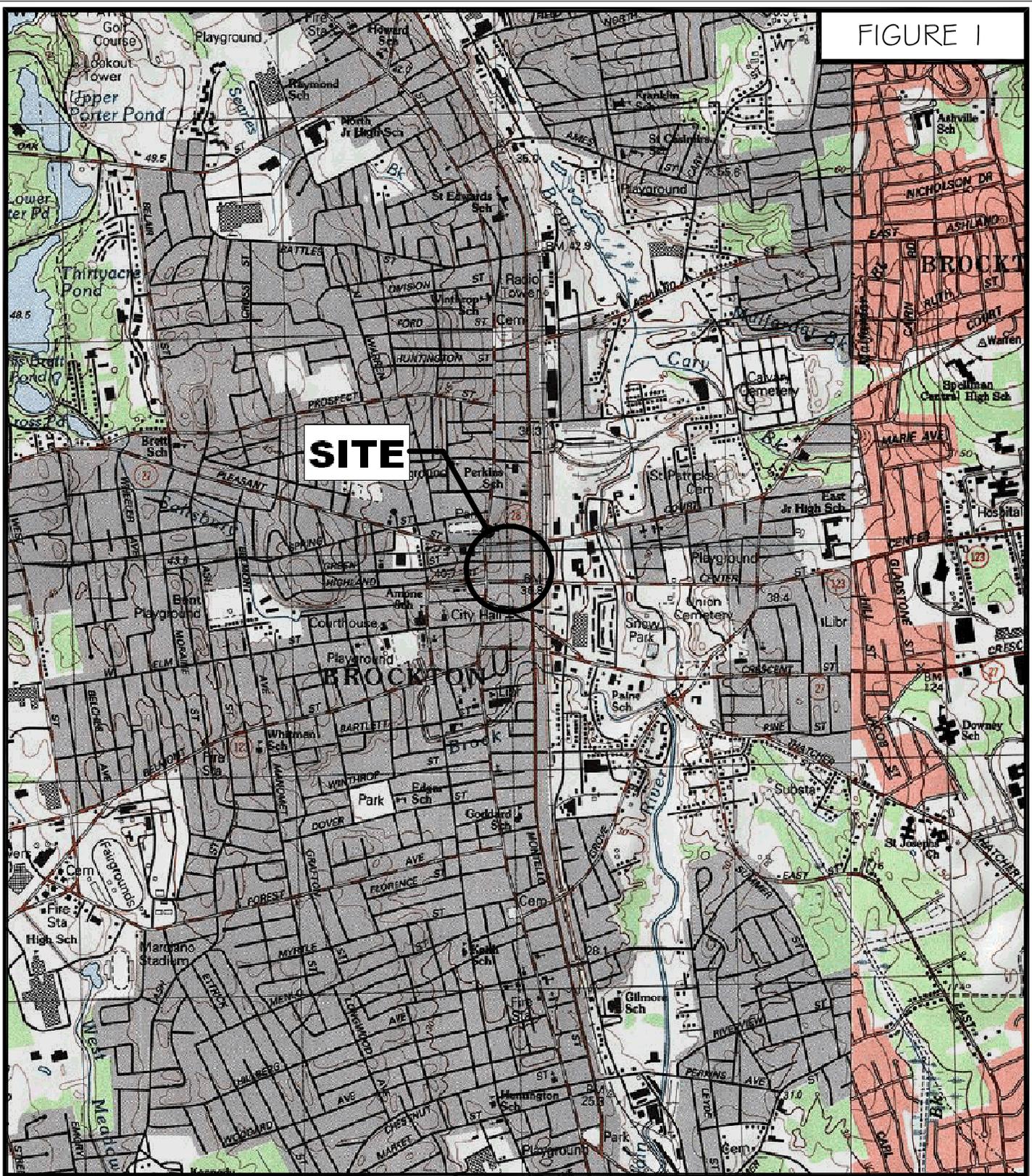
Kirk W. Seaman

A handwritten signature in blue ink, appearing to read "Michael Bradley", written over a horizontal line.

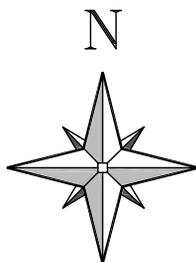
Michael Bradley, CHMM .

KWS/mpb

FIGURE I



Geotechnical and  
 Geoenvironmental Engineers  
 2269 Massachusetts Avenue  
 Cambridge, MA 02140  
 617/868-1420  
 617/868-1423 (Fax)  
 www.mcphailgeo.com



SCALE 1:25,000

# PROJECT LOCATION PLAN

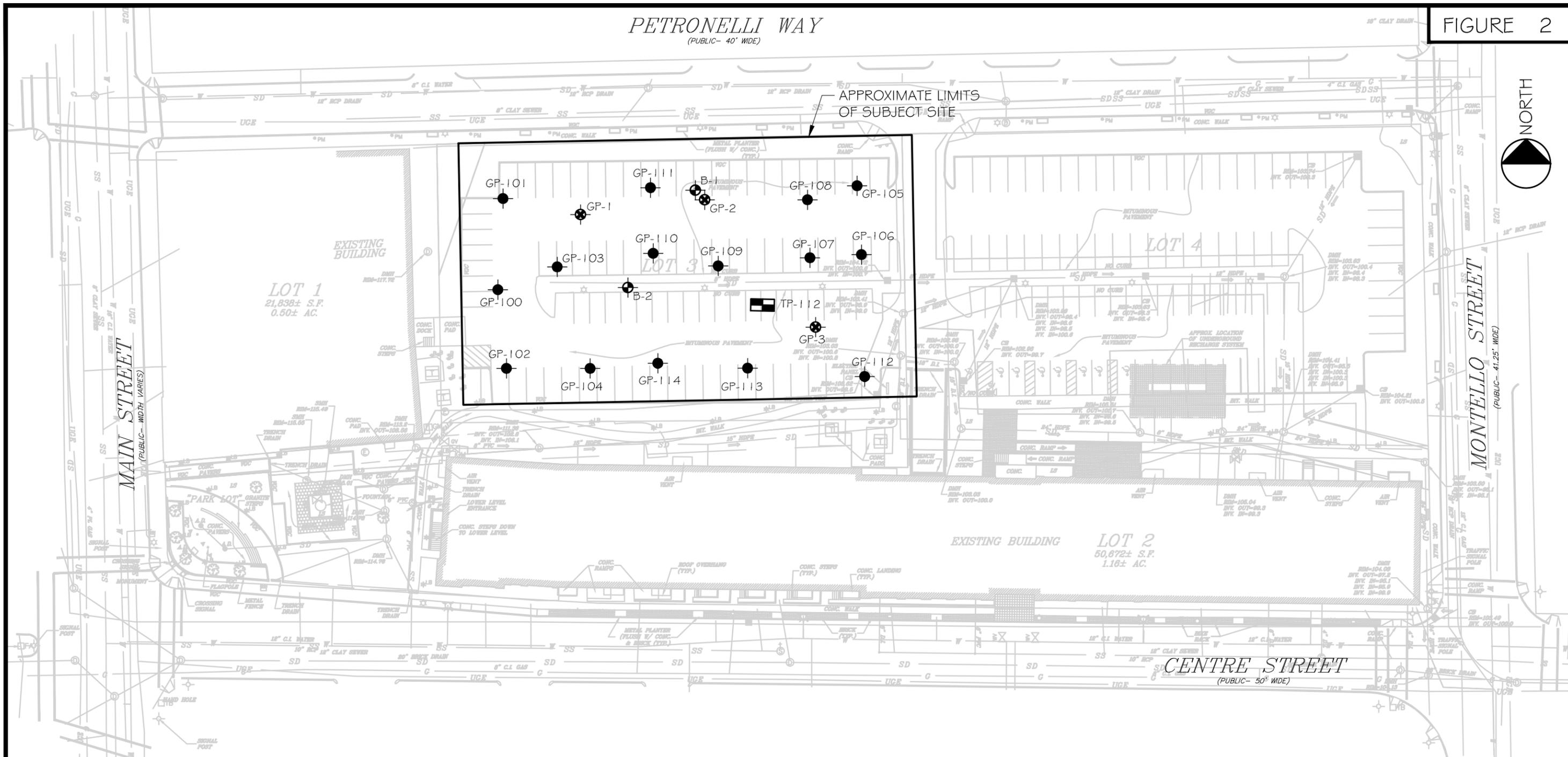
## THE RESIDENCES AT CENTRE AND MAIN

BROCKTON

MASSACHUSETTS

PETRONELLI WAY  
(PUBLIC- 40' WIDE)

FIGURE 2



LEGEND

-  — APPROXIMATE LOCATION OF TEST PIT PERFORMED BY W.L. FRENCH EXCAVATING CORPORATION DURING NOVEMBER 2013 FOR CWC BUILDERS, INC.
-  — APPROXIMATE LOCATION OF BORINGS PERFORMED BY CARR-DEE CORP. ON SEPTEMBER 10, 2010 UNDER CONTRACT TO McPHAIL ASSOCIATES, INC.
-  — APPROXIMATE LOCATION OF GEOPROBE OR BORING COMPLETED BY CARR-DEE CORP. ON SEPTEMBER 6, 2018 UNDER CONTRACT TO McPHAIL ASSOCIATES, LLC
-  — APPROXIMATE LOCATION OF GEOPROBE OR BORING COMPLETED BY CARR-DEE CORP. ON OCTOBER 21, 2016 UNDER CONTRACT TO McPHAIL ASSOCIATES, LLC



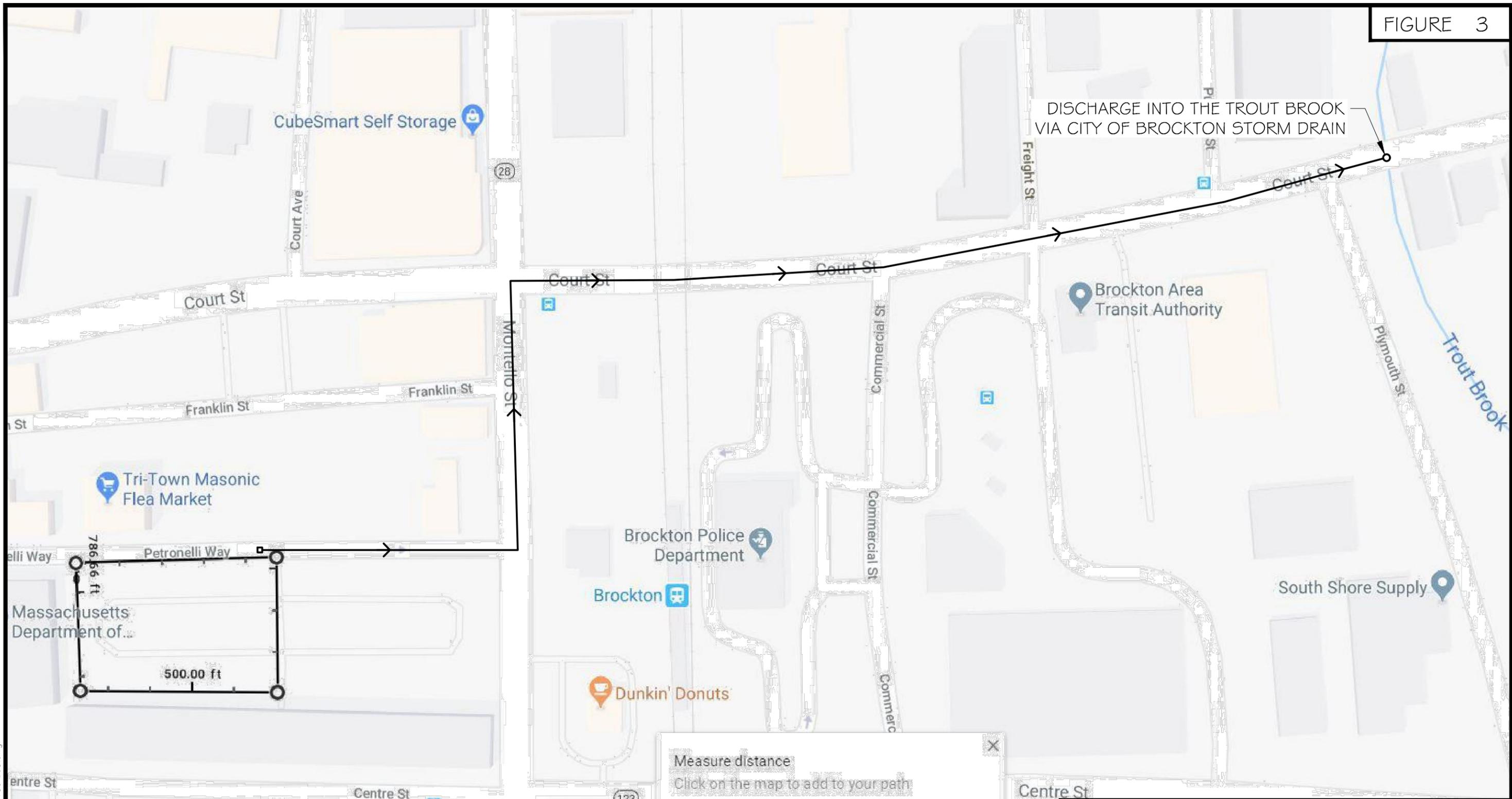
**McPHAIL ASSOCIATES, LLC**  
Geotechnical and Geoenvironmental Engineers  
2269 Massachusetts Avenue  
Cambridge, MA 02140  
617/868-1420  
617/868-1423 (Fax)  
www.mcphailgeo.com

ENTERPRISE PARKING GARAGE  
BROCKTON MASSACHUSETTS

SITE PLAN  
FOR  
COLANTONIO INC.  
BY  
McPHAIL ASSOCIATES, LLC

Date: OCTOBER 2018	Dwn: I.J.M.	Chkd: M.P.B.	Scale: 1" = 50'
Project No:	5159		

FIGURE 3

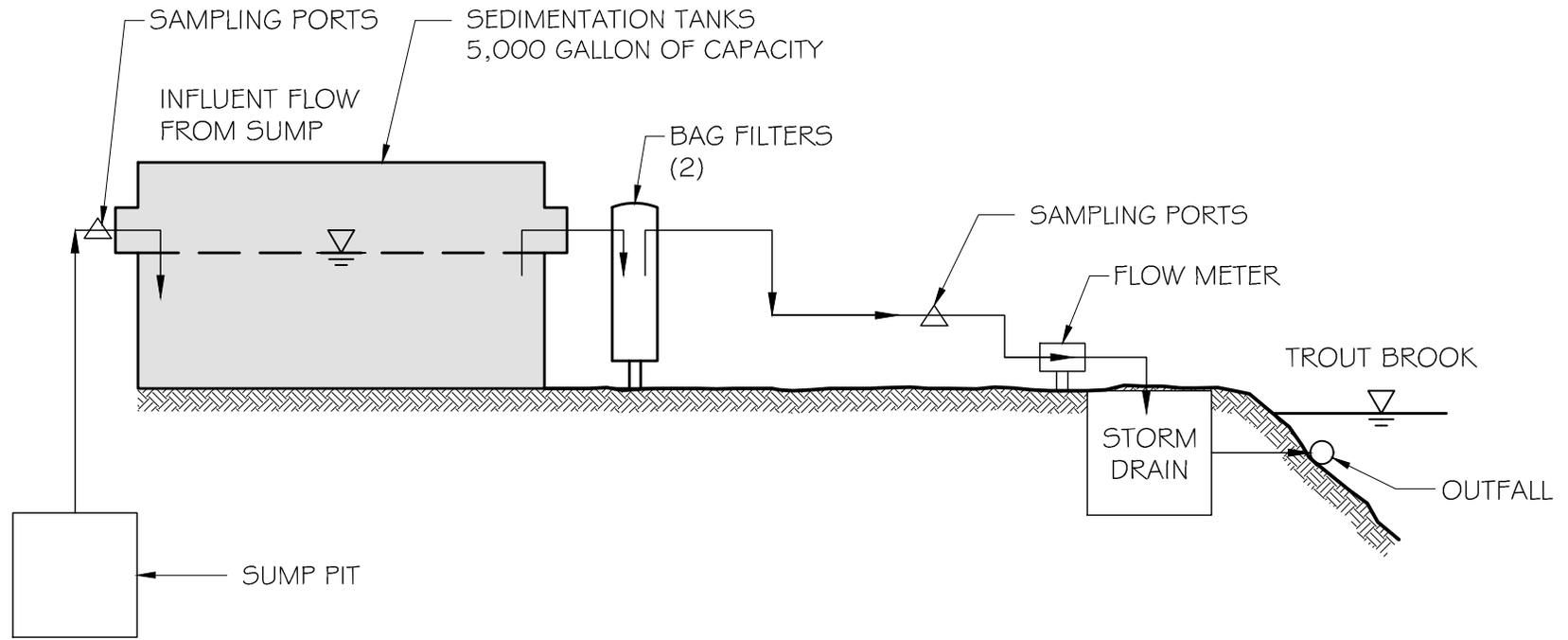


FILE NAME: N:\Acad\JOB915\159\DGPS\159-EO3.dwg

**McPHAIL ASSOCIATES, LLC**  
 Geotechnical and Geoenvironmental Engineers  
 2269 Massachusetts Avenue  
 Cambridge, MA 02140  
 617/868-1420  
 617/868-1423 (Fax)  
 www.mcphailgeo.com

ENTERPRISE PARKING GARAGE			
BROCKTON		MASSACHUSETTS	
DISCHARGE FLOW PATH			
FOR			
COLANTONIO INC.			
BY			
McPHAIL ASSOCIATES, LLC			
Date: OCTOBER 2018	Dwn: M.B.S.	Chkd: K.W.S.	Scale: N.T.S.
Project No: 5159			

FIGURE 4



 <p><b>McPHAIL ASSOCIATES, LLC</b> Geotechnical and Geoenvironmental Engineers 2269 Massachusetts Avenue Cambridge, MA 02140 617/868-1420 617/868-1423 (Fax) www.mcphailgeo.com</p>	ENTERPRISE PARKING GARAGE	
	BROCKTON	MASSACHUSETTS
	SCHEMATIC OF TREATMENT SYSTEM	
	FOR COLANTONIO INC. BY McPHAIL ASSOCIATES, LLC CONSULTING GEOTECHNICAL ENGINEERS	
Date: OCTOBER 2018	Dwn: M.B.S.	Chkd: K.W.S.
Project No: 5159	Scale: N.T.S.	



**APPENDIX A:  
LIMITATIONS**



## **LIMITATIONS**

The purpose of this report is to present a summary of environmental conditions at the property located along Petronelli Way known as the Enterprise Garage development in Brockton, Massachusetts (the "subject site"). , Massachusetts in support of an application for approval of temporary construction dewatering discharge of surface water into the Trout Brook under EPA's Massachusetts Dewatering General Permit MAG070000.

The observations were made under the conditions stated in this report. The conclusions presented above were based on these observations. If variations in the nature and extent of subsurface conditions between the spaced subsurface explorations become evident in the future, it will be necessary to re-evaluate the conclusions presented herein after performing on-site observations and noting the characteristics of any variations.

The conclusions submitted in this report are based in part upon laboratory test data obtained from analysis of groundwater samples, and are contingent upon their validity. The data have been reviewed, and interpretations have been made in the text. It should also be noted that fluctuations in the types and levels of contaminants and variations in their flow paths may occur due to changes in seasonal water table, past practices used in disposal and other factors.

Laboratory analyses have been performed for specific constituents during the course of this assessment, as described in the text. However, it should be noted that additional constituents not searched for during the current study may be present in soil and/or groundwater at the site.

This report and application have been prepared on behalf of and for the exclusive use of the Colantonio Inc. This report and the findings contained herein shall not, in whole or in part, be disseminated or conveyed to any other party, other than submission to relevant governmental agencies, nor used in whole or in part by any other party without the prior written consent of McPhail Associates, LLC.



**APPENDIX B:**  
**NOTICE OF INTENT TRANSMITTAL FORMS**  
**NPDES DEWATERING GENERAL PERMIT**

## APPENDIX V

### NOTICE OF INTENT INSTRUCTIONS AND SUGGESTED FORMATS AND MAILING ADDRESSES

#### **I. Notice of Intent (NOI) Instructions**

In order to be covered by the Dewatering General Permit (DGP) applicants must submit a written NOI to EPA and the appropriate state agency. The NOI consists of either the suggested NOI format included in Part II of this Appendix or another format of official correspondence that contains all of the required information listed in the General Permit and the NOI instructions.

**A. Instructions for the NOI** - At a minimum, the NOI must include the following information for each individual facility. Additional information may be attached as needed.

#### **1. General facility information.**

- a) Provide the name and mailing address of the facility.
- b) Provide the facility location address, including the latitude and longitude, if different from the mailing address. Provide the SIC code(s) and type of business.
- c) Provide the legal name, address, telephone and fax number of the owner and operator (if not the owner) if different from the facility information. Indicate whether the owner is a Federal, State, Tribal, private or other entity.
- d) Provide a topographic map indicating the location(s) of the facility and receiving water, and discharge point(s).
- e) Provide the answer to the following questions:
  - i. Has a prior NPDES permit been granted for this discharge? If yes, provide the permit number:
  - ii. Is the discharge a “new discharger” as defined by 40 CFR Section 122.2?
  - iii. Is the facility covered by an individual NPDES permit? If yes, provide the permit number.
  - iv. Is there a pending application on file for any other permit with EPA for this discharge?

#### **2. Discharge information.**

- a) Provide the name of the receiving water(s) into which each outfall will discharge and identify if it is freshwater or marine water and its state water quality classification.
- b) Describe the activity (construction dewatering, dewatering of foundation sumps etc.) that

generates the discharge(s) to be covered by the permit. If available, please provide a facility water flow diagram. Also, if known, identify and describe any and all treatment methods and provide a technology diagram depicting the treatment of discharge at the facility.

- c) Provide the number of outfalls; and for each outfall, provide the following information:
- i. Please estimate the flow in GPD – both the maximum daily and average flow rate of the discharge in gallons per day;
  - ii. Provide the maximum and minimum monthly pH of discharge (in s.u.);
  - iii. Identify the source of the water being discharged (i.e. potable water, surface water, groundwater). If the source is groundwater, the facility shall submit effluent test results, as required in Section 4.4.5 of the General Permit. If the source is potable water, EPA will calculate the Total Residual Chlorine effluent limits.
  - iv. If known, state whether the discharge(s) is continuous, periodic (occurs regularly, for example monthly or seasonally, but is not continuous all year) or intermittent (occurs sometimes but not regularly), or both. If the discharge is periodic, specify the frequency (number of days or months per year) of the discharge and the specific months of discharge. If the discharge is intermittent, specify the number of days per year there is intermittent discharge. If the dewatering is temporary and will occur within a finite period of time, state the approximate start and end dates of dewatering.
  - v. Provide the latitude and longitude of each discharge point (outfall) with an accuracy of 100 feet (see EPA’s siting tool at: [http://www.epa.gov/tri/report/siting\\_tool/](http://www.epa.gov/tri/report/siting_tool/)) and,
  - vi. If the source of the discharge is potable water, provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water. Also, please attach any calculation sheets used to support stream flow and dilution calculations. See Appendix VIII for equations and additional information.
  - vii. For Massachusetts facilities only: Determine if the discharge is into an Area of Critical Environmental Concern (ACEC) and, if yes, provide the name of the ACEC. See Section 3.4 and Appendix 1 of the General Permit for more information on ACECs.

### **3. Contaminant Information.**

- a) If the facility uses any pH neutralization and/or dechlorination chemicals, provide the product 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)).

- b) Please report any known remediation activities or water-quality issues in the vicinity of the discharge.
- c) In order to be eligible for this permit, applicants will need to take a minimum of one sample of the untreated water at the construction site and have it analyzed for the metal parameters listed in Appendix IX. If the levels of contamination for the proposed discharge are equal or less than the metal parameters listed in Appendix IX, the application will be eligible for a DGP. Otherwise, the applicant should apply for the Remediation General Permit (RGP) for contaminated discharges.

#### **4. Determination of Endangered Species Act Eligibility (ESA)**

Provide documentation of ESA eligibility and respond to all questions as required in Appendix IV

#### **5. Documentation of National Historic Preservation Act (NHPA) Requirements**

Provide documentation and respond to all questions as required in Appendix III:

#### **6. Supplemental Information**

Applicants should provide any supplemental information needed to meet the requirements of the permit, including, any analytical data used to support the application (see Section 3.c above), and any certification(s) required by the permit.

#### **7. Signature Requirements**

The Notice of Intent must be signed and dated 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, waste product or finished product; (4) if the discharge of dewatering subsequently mixes with other wastewater (i.e. stormwater) prior to discharging to the receiving water, any monitoring provided under this permit will be only for dewatering discharges; (5) where applicable, the facility has complied with the requirements of this permit specific to the Endangered Species Act and the 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.**

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.

### **B. Submission of NOI to EPA**

Filing with EPA - All operators located in Massachusetts and New Hampshire that apply for coverage under this General Permit must submit a written NOI to EPA-New England. The completed, signed NOI formats and attachments must be submitted to EPA-NE electronically at:

[GeneralPermit.Dewatering@epa.gov](mailto:GeneralPermit.Dewatering@epa.gov), or mailed to:

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

Filing with the states - A copy of the NOI format filed with EPA-NE must also be filed with state agencies. The state agency may elect to develop a state specific form or other additional information requirements.

1. Discharges in Massachusetts
  - a. Facilities located in Massachusetts with discharges to Class B or SB waters must: Provide a completed copy of the Notice of Intent to:

Massachusetts Department of Environmental Protection  
Division of Watershed Management  
8 New Bond Street  
Worcester, MA 01606

The State of Massachusetts no longer will take an active participation in approving or certifying DGP discharges to Class B or SB waters. No transmittal form or fees are necessary to Class B & SB waters. The Notice of Intent to the State is for informational purposes only.

- b. Facility located in Massachusetts with discharges to Class A or SA waters must:  
Provide a completed copy of the Notice of Intent. The completed state transmittal form, and a copy of the check for the appropriate State fee to:

Massachusetts Department of Environmental Protection  
Division of Watershed Management  
8 New Bond Street  
Worcester, MA 01606

Submit the appropriate fee and copy of the transmittal form to:

MassDEP  
P.O. Box 4062  
Boston, MA 02211

The State Transmittal Form & Number for the Permit Application & Payment is found here:

<http://www.mass.gov/eea/agencies/massdep/service/approval/transmittal-form-for-payment.html>

Discharges into Class A or SA waters require approval by the Massachusetts Department of Environmental Protection

## 2. Discharges in New Hampshire

All applicants must provide a completed copy of their Notice of Intent to:

New Hampshire Department of Environmental Services  
Water Division, Wastewater Engineering Bureau  
29 Hazen Drive, P.O. Box 95  
Concord, New Hampshire 03302-0095

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

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

a) Name of facility: Brockton Enterprise Garage		Mailing Address for the Facility: 31 Petronelli Way, Brockton, MA	
b) Location Address of the Facility (if different from mailing address):	Facility Location		Type of Business: Construction Site
	longitude: <u>-71.018668</u> latitude: <u>42.084617</u>		Facility SIC codes:
c) Name of facility owner: <u>Brockton Redevelopment Authority</u>		Owner's email: <u>rjenkins@brocktonredevlpmentauthority.com</u>	
Owner's Tel #: <u>(508) 586-3887</u>		Owner's Fax #: _____	
Address of owner (if different from facility address) 50 School Street Boston, MA 02031			
Owner is (check one): 1. Federal _____ 2. State _____ 3. Private <input checked="" type="checkbox"/> 4. Other _____ (Describe) _____			
Legal name of Operator, if not owner: <u>Colantonio Inc</u>			
Operator Contact Name: <u>Kimberly Joyce</u>			
Operator Tel Number: <u>(508) 429-8666</u>		Fax Number: _____	
Operator's email: <u>kjoyce@colantonioinc.com</u>			
Operator Address (if different from owner) <b>16 Everett Street, Holliston, MA 01746</b>			
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"/>			
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 discharger" as defined by 40 CFR Section 122.2? Yes _____ No <input checked="" type="checkbox"/>			
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: _____			

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

a) Name of receiving water into which discharge will occur: Trout Brook  
State Water Quality Classification: Class B Freshwater: Yes Marine Water: No

- 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 288,000 GPD  
Average Monthly Flow 144,000 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 (see attached report)

g.) What treatment does the wastewater receive prior to discharge? Settling tank and bag filters to remove sediment

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 October 2018 approximate end date of dewatering September 2019

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. -71.018864 lat. 42.084814; 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)

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.

**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.**

a) Which of the three eligibility criteria listed in Appendix IV, Criterion (A, B, or C) have you met? c \_\_\_\_\_   
b) Please attach documentation with your NOI supporting your response. Please see Appendix IV for acceptable documentation

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

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 \_\_\_\_\_ See attached report.   
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 eligibility criterion listed in Appendix III, Criterion (A, B, or C) have you met? B \_\_\_\_\_   
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. \_\_\_\_\_

**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.

Facility Name:	Brockton Enterprise Garage
Operator signature:	 OPERATOR IS COANTONIO INC
Print Full Name and Title:	PRESIDENT, COANTONIO INC
Date:	10/11/2018

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 C:**

**MASSACHUSETTS PHASE I SITE ASSESSMENT PHASE I MAP,  
IPAC TRUST RESOURCE REPORT,  
AND MACRIS REPORT**

# MassDEP - Bureau of Waste Site Cleanup

## Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

**Site Information:**

PETRONELLI WAY BROCKTON, MA

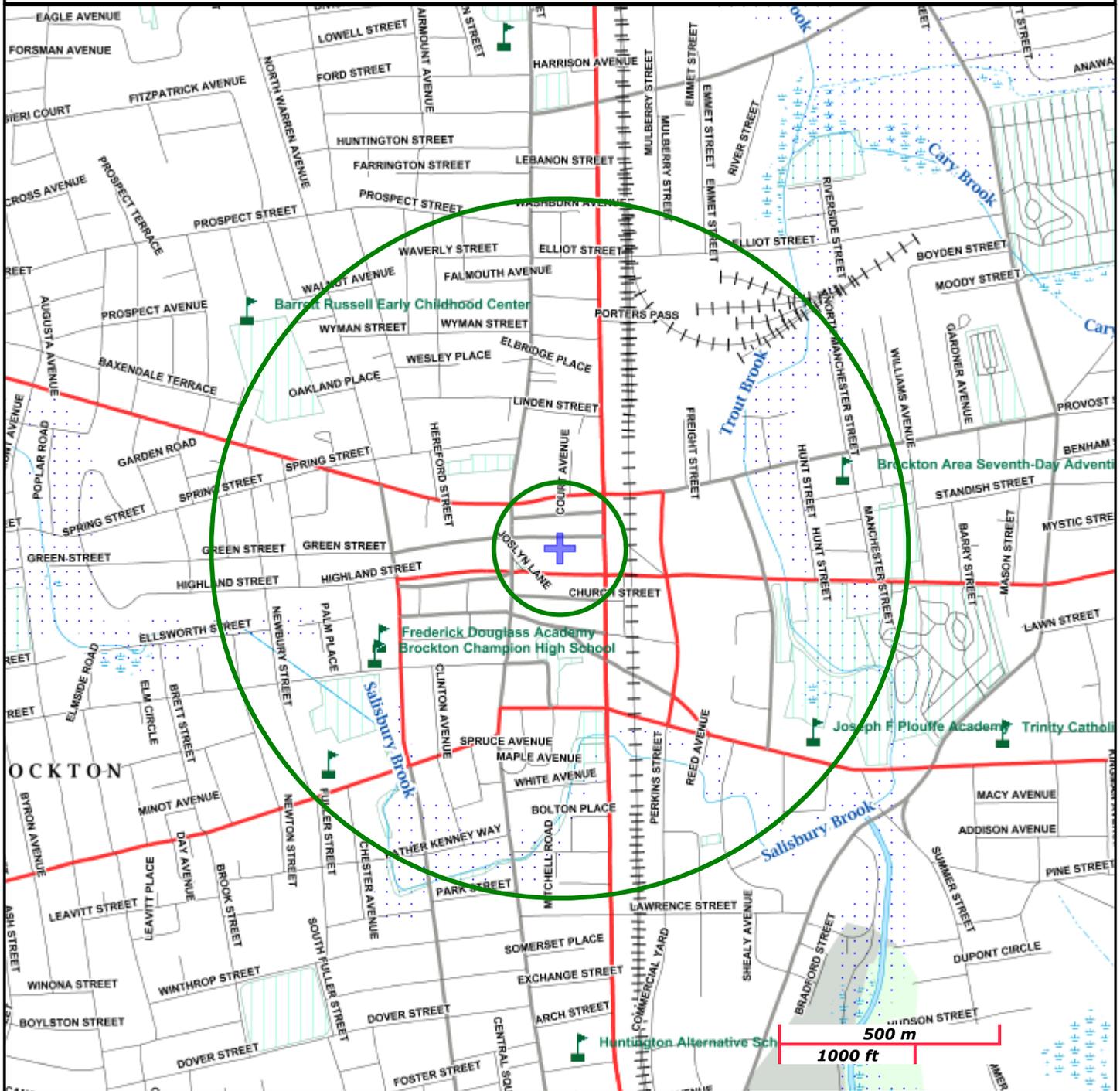
**NAD83 UTM Meters:**  
4661140mN , 333050mE (Zone: 19)  
September 18, 2018

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at:  
<http://www.mass.gov/mgis/>.



**MassDEP**

Commonwealth of Massachusetts  
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail	PWS Protection Areas: Zone II, IWPA, Zone A		
Boundaries: Town, County, DEP Region; Train; Powerline; Pipeline; Aqueduct	Hydrography: Open Water, PWS Reservoir, Tidal Flat		
Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam	Wetlands: Freshwater, Saltwater, Cranberry Bog		
Aquifers: Medium Yield, High Yield, EPA Sole Source	FEMA 100yr Floodplain; Protected Open Space; ACEC		
Non Potential Drinking Water Source Area: Medium, High (Yield)	Est. Rare Wetland Wildlife Hab; Vernal Pool: Cert., Potential		
	Solid Waste Landfill; PWS: Com. GW, SW, Emerg., Non-Com.		

# Massachusetts Cultural Resource Information System

## MACRIS

### MACRIS Search Results

Search Criteria: Town(s): Brockton; Street No: 31; Street Name: petronelli way; Resource Type(s): Area, Building, Burial Ground, Object, Structure;

Inv. No.	Property Name	Street	Town	Year
----------	---------------	--------	------	------



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>

In Reply Refer To:  
Consultation Code: 05E1NE00-2018-SLI-3119  
Event Code: 05E1NE00-2018-E-07331  
Project Name: Brockton Enterprise Garage

September 18, 2018

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(s):

- Official Species List
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New England Ecological Services Field Office**

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

---

## Project Summary

Consultation Code: 05E1NE00-2018-SLI-3119

Event Code: 05E1NE00-2018-E-07331

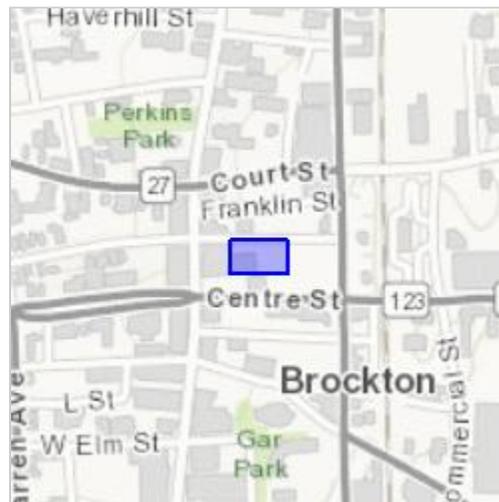
Project Name: Brockton Enterprise Garage

Project Type: DEVELOPMENT

Project Description: <1 acre

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.08460386926221N71.01870015227105W>



Counties: Plymouth, MA

---

## Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

---

**From:** [Kirk W. Seaman](#)  
**To:** [GeneralPermit\\_DeWatering](#)  
**Cc:** [kjoyce@colantonioinc.com](mailto:kjoyce@colantonioinc.com)  
**Subject:** RE: DGP Application for Brockton Enterprise Garage  
**Date:** Wednesday, October 31, 2018 2:29:39 PM

---

Hi Michelle,

To my knowledge and according to the MACRIS database, there are no historic properties at the site or affected by the project area. Hopefully, that answers the questions and I can adjust the 5.a and 5.b answers if necessary to indicate such.

Please let me know if you have any more questions.

Thanks

***Kirk W. Seaman***

***McPHAIL ASSOCIATES, LLC***

2269 Massachusetts Avenue  
Cambridge, MA 02140

Tel: 617-349-7352  
Cell: 626-590-8418

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

---

**From:** Vuto, Michelle <Vuto.Michelle@epa.gov> **On Behalf Of** GeneralPermit, DeWatering  
**Sent:** Wednesday, October 31, 2018 2:26 PM  
**To:** Kirk W. Seaman <KSeaman@mcphailgeo.com>  
**Cc:** [kjoyce@colantonioinc.com](mailto:kjoyce@colantonioinc.com)  
**Subject:** RE: DGP Application for Brockton Enterprise Garage

Thanks Kirk. One more thing to clarify:

5.a and 5.b are answered such that a formal State Historic Commission and THPO consultation for the property was undertaken (because there is a potential to affect historic properties), but the narrative before the NOI form states that no historical properties were found in the project area. If there is a potential to affect historic properties, EPA will need to see a copy of the correspondence with SHPO/THPOs.

Thanks,  
Michelle

---

**From:** Kirk W. Seaman <[KSeaman@mcphailgeo.com](mailto:KSeaman@mcphailgeo.com)>

**Sent:** Tuesday, October 30, 2018 4:40 PM

**To:** GeneralPermit, DeWatering <[GeneralPermit.Dewatering@epa.gov](mailto:GeneralPermit.Dewatering@epa.gov)>

**Cc:** [kjoyce@colantonioinc.com](mailto:kjoyce@colantonioinc.com)

**Subject:** Re: DGP Application for Brockton Enterprise Garage

Good Afternoon Michelle,

Correct. To my knowledge, the proposed excavations will not extend below the groundwater table and thus, only storm water will be discharged off-site.

Thanks

Kirk

Kirk W. Seaman

McPHAIL ASSOCIATES, LLC

2269 Massachusetts Avenue  
Cambridge, MA 02140

Tel: 617-349-7352

Cell: 626-590-8418

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

On Tue, Oct 30, 2018 at 3:58 PM -0400, "GeneralPermit, DeWatering" <[GeneralPermit.Dewatering@epa.gov](mailto:GeneralPermit.Dewatering@epa.gov)> wrote:

Hi Kirk,

EPA is reviewing the NOI for the Brockton Enterprise Garage. I just want to confirm that the project is only seeking coverage under the DGP for stormwater discharge. Otherwise, in order to discharge groundwater, a groundwater sample will need to be submitted (see part 4.4.5 of the DGP).

Please let me know if you have any questions.

Thanks,  
Michelle

Michelle Vuto  
U.S. EPA Region 1  
5 Post Office Square—OEP06-4  
Boston, MA 02109-3912  
617-918-1222

---

**From:** Kirk W. Seaman [<mailto:KSeaman@mcphailgeo.com>]

**Sent:** Friday, October 12, 2018 9:46 AM

**To:** GeneralPermit, DeWatering <[GeneralPermit.Dewatering@epa.gov](mailto:GeneralPermit.Dewatering@epa.gov)>

**Cc:** Mike Bradley <[MBradley@mcphailgeo.com](mailto:MBradley@mcphailgeo.com)>; Kim Joyce <[KJoyce@colantonioinc.com](mailto:KJoyce@colantonioinc.com)>; Alicia Toney <[atoney@pinck-co.com](mailto:atoney@pinck-co.com)>; Andraya Lombardi ([alombardi@pinck-co.com](mailto:alombardi@pinck-co.com)) <[alombardi@pinck-co.com](mailto:alombardi@pinck-co.com)>; Peter Dechaves <[pd@mcphailgeo.com](mailto:pd@mcphailgeo.com)>

**Subject:** DGP Application for Brockton Enterprise Garage

Good Morning,

Attached is our application to dewater under the EPA's DGP for a site in Brockton, MA.

Please let us know if you have any questions or require further documentation for this application.

Thanks

***Kirk W. Seaman***

***McPHAIL ASSOCIATES, LLC***

2269 Massachusetts Avenue  
Cambridge, MA 02140

Tel: 617-349-7352  
Cell: 626-590-8418

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