B. Suggested Form for Notice of Intent (NOI) for the Remediation General Permit

1. General site information. Please provide the following information about the site:

a) Name of **facility/site**: Cobb Brook, Taunton, MA		**Facility/site** address:		
Location of **facility/site**: longitude: 71.09 latitude: 41.88	Facility SIC code(s):	Street: West Water Street		
b) Name of **facility/site owner**: City of Taunton, DPW		Town: Taunton		
Email address of owner: asstcomm@tmlp.net		State: MA	Zip: 02780	County: Bristol
Telephone no.of facility/site **owner**: 508-341-1434				
Fax no. of facility/site **owner**: 508-341-1437		**Owner** is (check one): 1. Federal____ 2. State/Tribal_____ 3. Private_____ 4. other, if so, describe: Municipality		
Address of **owner** (if different from site):				
Street: 90 Ingell Street				
Town: Taunton	State: MA	Zip: 02780	County: Bristol	
c) Legal name of **operator**: G. Lopes Construction, Inc.		**Operator** telephone no: 508-824-4834		
		Operator fax no.: 508-824-9481	**Operator** email: pwolski@glopesconst.com	
Operator contact name and title: Peter Wolski				
Address of **operator** (if different from owner):		Street: 490 Winthrop Street		
Town: Taunton	State: MA	Zip: 02780	County: Bristol	

d) Check "yes" or "no" for the following:
1. Has a prior NPDES permit exclusion been granted for the discharge? Yes___ No✓, if "yes," number:
2. Has a prior NPDES application (Form 1 & 2C) ever been filed for the discharge? Yes___ No✓, if "yes," date and tracking #:
3. Is the discharge a "new discharge"as defined by 40 CFR 122.2? Yes✓ No___
4. For sites in Massachusetts, is the discharge covered under the MA Contingency Plan (MCP) and exempt from state permitting? Yes✓ No__

e) Is site/facility subject to any State permitting or other action which is causing the generation of discharge? Yes ✓ No ___ If "yes," please list: 1. site identification # assigned by the state of NH or MA: 2. permit or license # assigned: 3. state agency contact information: name, location, and telephone number: MADEP SERO 508-946-2700	f) Is the site/facility covered by any other EPA permit, including: 1. multi-sector storm water general permit? Y ✓ N ___, if Y, number: MAR041164 2. phase I or II construction storm water general permit? Y ___ N ✓, if Y, number: Pending Approval 3. individual NPDES permit? Y ___ N ✓, if Y, number: 4. any other water quality related permit? Y ___ N ✓, if Y, number:

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

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

Temporary construction dewatering in support of utility work and soil excavation.

b) Provide the following information about each discharge:	1) Number of discharge points: 2	2) What is the **maximum** and **average flow rate** of discharge (in cubic feet per second, ft3/s)? Max. flow 0.167 Average flow 0.067 Is maximum flow a **design value**? Y ___ N ✓ For average flow, include the units and appropriate notation if this value is a design value or estimate if not available.

3) Latitude and longitude of each discharge within 100 feet: pt.1:long. 71.10 lat. 41.88; pt.2: long. 71.09 lat. 41.88; pt.3: long._____ lat._____;
pt.4:long._____ lat._____; pt.5: long._____ lat._____; pt.6:long._____ lat._____; pt.7: long._____ lat._____; pt.8:long._____ lat._____; etc.

4) If hydrostatic testing, total volume of the discharge (gals):	5) Is the discharge intermittent ✓ or seasonal _____? Is discharge ongoing Yes ____ No ✓ ?

c) Expected dates of discharge (mm/dd/yy): start 08/18/08 end 01/18/09

d) Please attach a line drawing or flow schematic showing water flow through the facility including:
1. sources of intake water, 2. contributing flow from the operation, 3. treatment units, and 4. discharge points and receiving waters(s).

3. Contaminant information. In order to complete this section, the applicant will need to take a minimum of one sample of the untreated water and have it analyzed for **all** of the parameters listed in Appendix III. Historical data, (i.e., data taken no more than 2 years prior to the effective date of the permit) may be used if obtained pursuant to: i. Massachusetts' regulations 310 CMR 40.0000, the Massachusetts Contingency Plan ("Chapter 21E"); ii. New Hampshire's Title 50 RSA 485-A: Water Pollution and Waste Disposal or Title 50 RSA 485-C: Groundwater Protection Act; or iii. an EPA permit exclusion letter issued pursuant to 40 CFR 122.3, provided the data was analyzed with test methods that meet the requirements of this permit. Otherwise, a new sample shall be taken and analyzed.

a) Based on the analysis of the sample(s) of the untreated influent, the applicant must check the box of the sub-categories that the potential discharge falls within.

Gasoline Only	VOC Only	Primarily Metals	Urban Fill Sites ✓	Contaminated Sumps	Mixed Contaminants	Aquifer Testing
Fuel Oils (and Other Oils) only	VOC with Other Contaminants	Petroleum with Other Contaminants	Listed Contaminated Sites ✓	Contaminated Dredge Condensates	Hydrostatic Testing of Pipelines/Tanks	Well Development or Rehabilitation

b) Based on the analysis of the untreated influent, the applicant must indicate whether each listed chemical is **believed present** or **believed absent** in the potential discharge. Attach additional sheets as needed.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
1. Total Suspended Solids		✓	1	Grab	2540D	8,000	1,090,000			
2. Total Residual Chlorine	✓		1	Grab	4500 Cl-G	10	ND			
3. Total Petroleum Hydrocarbons	✓		1	Grab	1664A	2,000	ND			
4. Cyanide	✓		1	Grab	4500 CN-G	10	ND			
5. Benzene		✓	1	Grab	8260B	1	370			
6. Toluene		✓	1	Grab	8260B	1	55			
7. Ethylbenzene		✓	1	Grab	8260B	1	420			
8. (m,p,o) Xylenes		✓	1	Grab	8260B	1	770			
9. Total BTEX[4]		✓	1	Grab	8260B	1	1,615			

[4]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
10. Ethylene Dibromide [5] (1,2- Dibromo-methane)	✓		1	Grab	8260B	1	ND			
11. Methyl-tert-Butyl Ether (MtBE)	✓		1	Grab	8260B	1	ND			
12. tert-Butyl Alcohol (TBA)	✓		1	Grab	8260B	5	ND			
13. tert-Amyl Methyl Ether (TAME)	✓		1	Grab	8260B	1	ND			
14. Naphthalene		✓	1	Grab	8260B	1	100			
15. Carbon Tetra-chloride	✓		1	Grab	8260B	1	ND			
16. 1,4 Dichlorobenzene	✓		1	Grab	8260B	1	ND			
17. 1,2 Dichlorobenzene	✓		1	Grab	8260B	1	ND			
18. 1,3 Dichlorobenzene	✓		1	Grab	8260B	1	ND			
19. 1,1 Dichloroethane	✓		1	Grab	8260B	1	ND			
20. 1,2 Dichloroethane	✓		1	Grab	8260B	1	ND			
21. 1,1 Dichloroethylene	✓		1	Grab	8260B	1	ND			
22. cis-1,2 Dichloro-ethylene	✓		1	Grab	8260B	1	ND			
23. Dichloromethane (Methylene Chloride)	✓		1	Grab	8260B	1	ND			
24. Tetrachloroethylene	✓		1	Grab	8260B	1	ND			

[5] EDB is a groundwater contaminant at fuel spill and pesticide application sites in New England.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily Value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
25. 1,1,1 Trichloroethane	✓		1	Grab	8260B	1	ND			
26. 1,1,2 Trichloroethane	✓		1	Grab	8260B	1	ND			
27. Trichloroethylene	✓		1	Grab	8260B	1	ND			
28. Vinyl Chloride	✓		1	Grab	8260B	1	ND			
29. Acetone	✓		1	Grab	8260B	5	ND			
30. 1,4 Dioxane	✓		1	Grab	8260B	50	ND			
31. Total Phenols	✓		1	Grab	8260B	10	ND			
32. Pentachlorophenol	✓		1	Grab	8260B	5	ND			
33. Total Phthalates [6] (Phthalate esthers)		✓	1	Grab	8260B	3	9.1			
34. Bis (2-Ethylhexyl) Phthalate [Di-(ethylhexyl) Phthalate]	✓		1	Grab	8260B	3	ND			
35. Total Group I Polycyclic Aromatic Hydrocarbons (PAH)	✓		1	Grab	8270C	1	ND			
a. Benzo(a) Anthracene	✓		1	Grab	8270C	1	ND			
b. Benzo(a) Pyrene	✓		1	Grab	8270C	1	ND			
c. Benzo(b)Fluoranthene	✓		1	Grab	8270C	1	ND			
d. Benzo(k) Fluoranthene	✓		1	Grab	8270C	1	ND			
e. Chrysene	✓		1	Grab	8270C	1	ND			

[6]The sum of individual phthalate compounds.

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Average daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
f. Dibenzo(a,h) anthracene	✓		1	Grab	8270C	1	ND			
g. Indeno(1,2,3-cd) Pyrene	✓		1	Grab	8270C	1	ND			
36. Total Group II Polycyclic Aromatic Hydrocarbons (PAH)	✓		1	Grab	8270C	1	ND			
h. Acenaphthene	✓		1	Grab	8270C	1	ND			
i. Acenaphthylene	✓		1	Grab	8270C	1	ND			
j. Anthracene	✓		1	Grab	8270C	1	ND			
k. Benzo(ghi) Perylene	✓		1	Grab	8270C	1	ND			
l. Fluoranthene	✓		1	Grab	8270C	1	ND			
m. Fluorene	✓		1	Grab	8270C	1	ND			
n. Naphthalene-		✓	1	Grab	8270C	1	37			
o. Phenanthrene	✓		1	Grab	8270C	1	ND			
p. Pyrene	✓		1	Grab	8270C	1	ND			
37. Total Polychlorinated Biphenyls (PCBs)	✓		1	Grab	608	1	ND			
38. Antimony	✓		1	Grab	6010B	10	ND			
39. Arsenic		✓	1	Grab	6010B	5	20			
40. Cadmium	✓		1	Grab	6010B	5	ND			
41. Chromium III	✓		1	Grab	6010B	10	ND			
42. Chromium VI	✓		1	Grab	6010B	10	ND			

PARAMETER	Believe Absent	Believe Present	# of Samples (1 min-imum)	Type of Sample (e.g., grab)	Analytical Method Used (method #)	Minimum Level (ML) of Test Method	Maximum daily value		Avg. daily value	
							concentration (ug/l)	mass (kg)	concentration (ug/l)	mass (kg)
43. Copper	✓		1	Grab	6010B	20	ND			
44. Lead		✓	1	Grab	6010B	5	6			
45. Mercury	✓		1	Grab	7470A	0.2	ND			
46. Nickel	✓		1	Grab	6010B	5	ND			
47. Selenium		✓	1	Grab	6010B	10	10			
48. Silver	✓		1	Grab	6010B	5	ND			
49. Zinc		✓	1	Grab	6010B	20	70			
50. Iron		✓	1	Grab	6010B	50	10,900			
Other (describe):										

c) For discharges where **metals** are believed present, please fill out the following:

Step 1: Do any of the metals in the influent have a **reasonable potential** to exceed the effluent limits in Appendix III (i.e., the limits set at zero to five dilutions)? Y[✓] N[ ]	If yes, which metals? Arsenic, Selenium, Lead and Zinc
Step 2: For any metals which have **reasonable potential** to exceed the **Appendix III** limits, calculate the **dilution factor (DF)** using the formula in Part I.A.3.c) (step 2) of the NOI instructions or as determined by the State prior to the submission of this NOI. What is the dilution factor for applicable metals? Metals: Arsenic, Selenium, Lead and Zinc DF: 4.2	Look up the limit calculated at the corresponding dilution factor in **Appendix IV.** Do any of the metals in the **influent** have the potential to exceed the corresponding **effluent** limits in Appendix IV (i.e., is the influent concentration above the limit set at the calculated dilution factor)? Y[✓] N[ ] If "Yes," list which metals: Arsenic, Selenium, Lead and Zinc

4. Treatment system information. Please describe the treatment system using separate sheets as necessary, including:

a) A description of the treatment system, including a schematic of the proposed or existing treatment system: See attached schematic.						
b) Identify each applicable treatment unit (check all that apply):	Frac. tank ✓	Air stripper	Oil/water separator	Equalization tanks	Bag filter ✓	GAC filter ✓
	Chlorination	Dechlorination	Other (please describe):			
c) Proposed **average** and **maximum flow rates** (gallons per minute) for the discharge and the **design flow rate**(s) (gallons per minute) of the treatment system: Average flow rate of discharge 30 Maximum flow rate of treatment system 50 Design flow rate of treatment system 50						
d) A description of chemical additives being used or planned to be used (attach MSDS sheets): None						

5. Receiving surface water(s). Please provide information about the receiving water(s), using separate sheets as necessary:

a) Identify the discharge pathway:	Direct 002	Within facility__	Storm drain____	River/brook 001	Wetlands_____	Other (describe):
b) Provide a narrative description of the discharge pathway, including the name(s) of the receiving waters: 001: Filtration system to Cobb Brook culvert to Taunton River. 002: Filtration system to Taunton River.						
c) Attach a detailed map(s) indicating the site location and location of the outfall to the receiving water: 1. For multiple discharges, number the discharges sequentially. 2. For indirect dischargers, indicate the location of the discharge to the indirect conveyance and the discharge to surface water The map should also include the location and distance to the nearest sanitary sewer as well as the locus of nearby sensitive receptors (based on USGS topographical mapping), such as surface waters, drinking water supplies, and wetland areas.						
d) Provide the state water quality classification of the receiving water B,						
e) Provide the reported or calculated seven day-ten year low flow (7Q10) of the receiving water 32.11 cfs Please attach any calculation sheets used to support stream flow and dilution calculations.						
f) Is the receiving water a listed 303(d) water quality impaired or limited water? Yes____ No ✓ If yes, for which pollutant(s)? Is there a TMDL? Yes____ No ✓ If yes, for which pollutant(s)? There is a draft pathogen TMDL for the Taunton River Watershed for fecal coliform, E. Coli and enterococcus.						

6. Results of Consultation with Federal Services: Please provide the following information according to requirements of Part I.B.4 and Appendices II and VII.

a) Are any listed threatened or endangered species, or designated critical habitat, in proximity to the discharge? Yes ✓ No____
Has any consultation with the federal services been completed ? Yes ✓ No___ or is consultation underway? Yes ____ No____
What were the results of the consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service (check one):
a "no jeopardy" opinion? _____or written concurrence ✓ on a finding that the discharges are not likely to adversely affect any endangered species or critical habitat?

b) Are any historic properties listed or eligible for listing on the National Register of Historic Places located on the facility or site or in proximity to the discharge?
Yes_____ No ✓ Have any state or tribal historic preservation officer been consulted in this determination (Massachusetts only)? Yes ✓ No_____

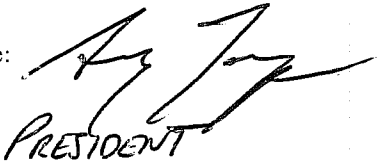
7. Supplemental information. :

Please provide any supplemental information. Attach any analytical data used to support the application. Attach any certification(s) required by the general permit.

8. Signature Requirements: The Notice of Intent must be signed by the operator in accordance with the signatory requirements of 40 CFR Section 122.22, including the following certification:

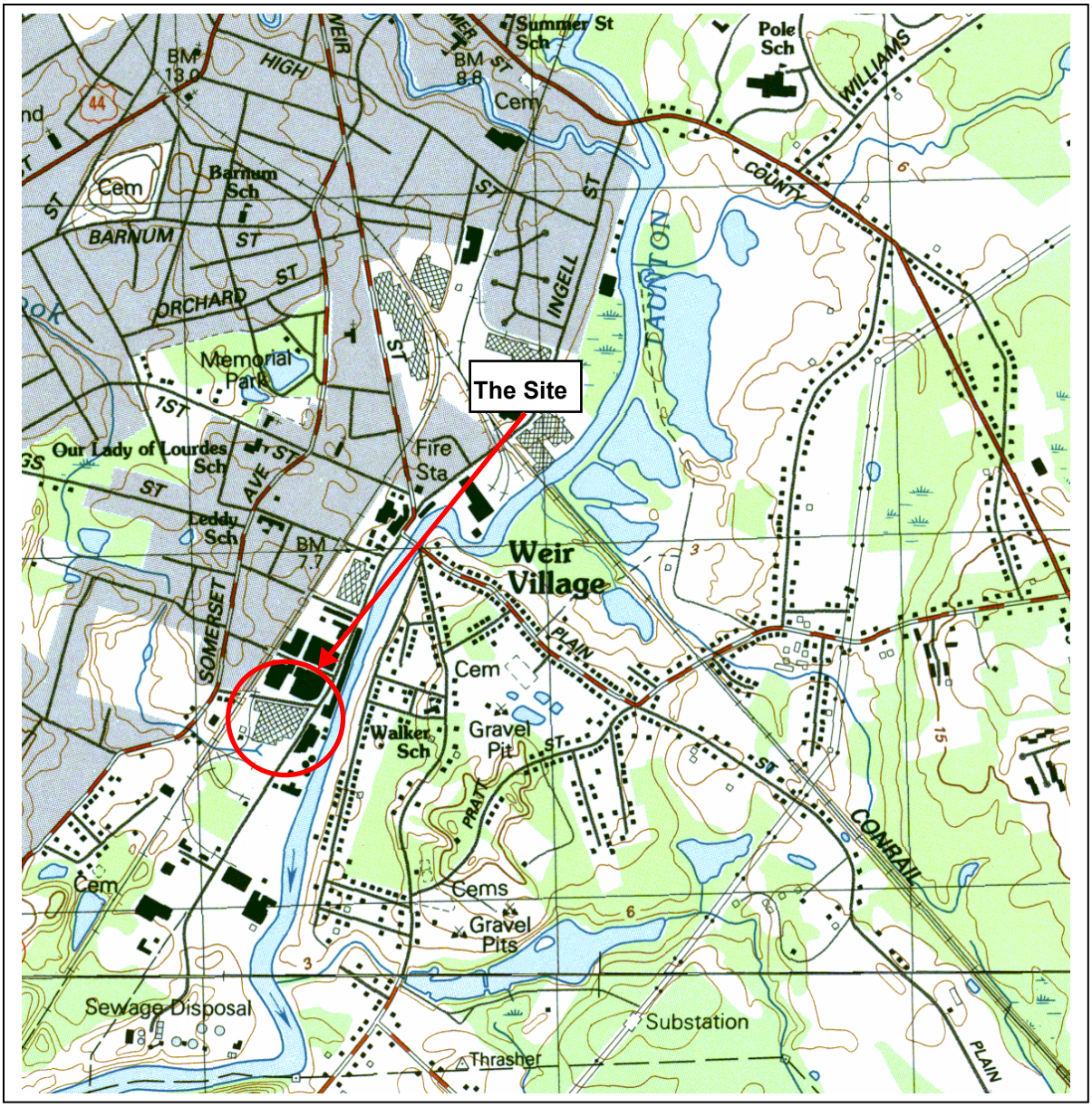
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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/Site Name: Cobb Brook, Taunton, Massachusetts

Operator signature: 

Title: VICE PRESIDENT

Date: 8/12/08



B E T A Group, Inc.
Engineers • Scientists • Planners
315 Norwood Park South, Norwood, MA 02062 781.255.1982
email: beta@beta-inc.com

West Water Street
Taunton, Massachusetts

Figure
1

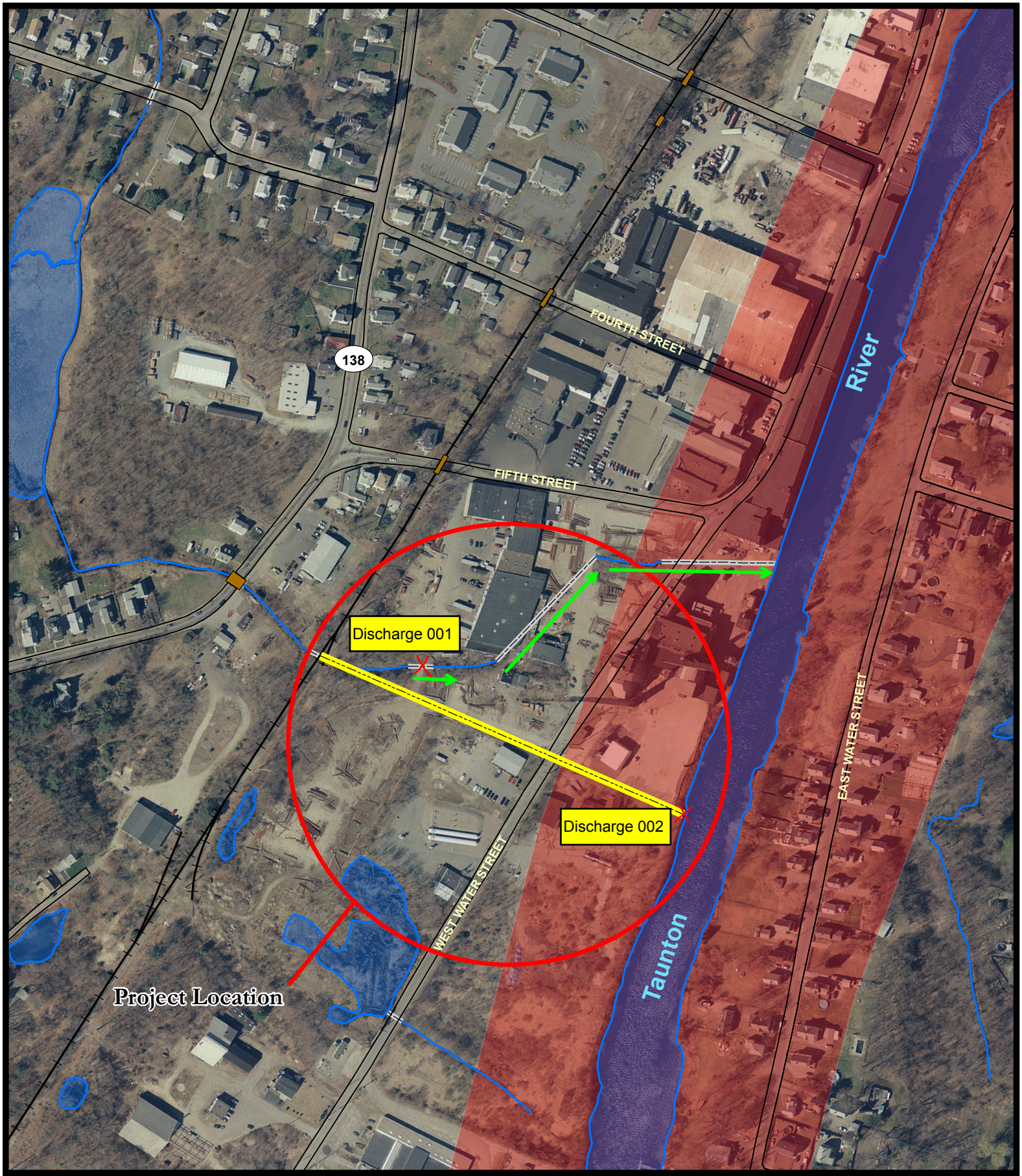
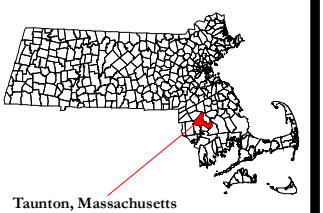


Figure: 5
Priority Habitats of Rare Species

City of Taunton, Massachusetts



Legend

Priority Habitats of Rare Species

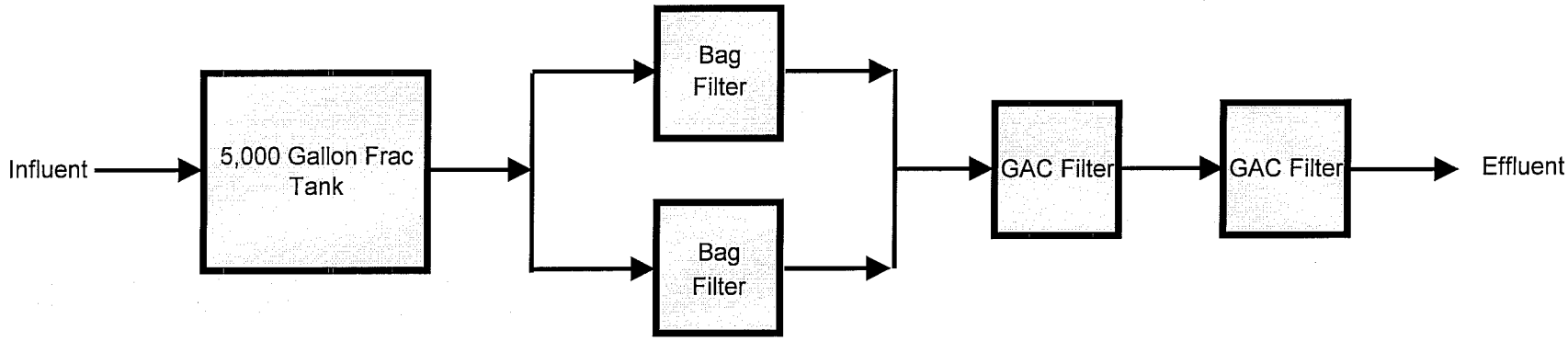
"NHESP 2005 Priority Habitats for State-Protected Rare Species".

N

Scale:1"=300'

BETA Group, Inc.
Engineers • Scientists • Planners

COBB BROOK CONSTRUCTION DEWATERING
PROPOSED GROUNDWATER TREATMENT SCHEMATIC



Details of treatment system may very from the system indicated above. Specific means and methods of treatment are to be selected by the subcontractor. All water discharged at the effluent point shall meet required effluent standards as specified in Appendix III and IV of the NOI Applications.

Notice of Intent
Construction Dewatering, Taunton, Massachusetts

Calculation of Dilution Factor

The nearest USGS river gauge station to the discharge is located near Bridgewater (Station No. 0110800). The 7Q10 flow at the discharge points has been calculated by adjusting it based on the drainage area. The 7Q10 for the Taunton River at the Bridgewater gauging station is 22.9 cfs, using daily flow data from 1931 to 2002. The drainage area at the gauge is 261 square miles. The drainage area at the discharge point is 366 square miles according to the Massachusetts USGS StreamStats Interactive Map.

Using drainage area ratios the 7Q10 at the discharge point is (22.9 x 366)/261 = 32.11cfs.

The dilution factor can then be calculated using the following equation:

Dilution Factor = [(Qd + Qs)/Qd] x 0.9

Qd	=	Maximum flow rate of discharge in cubic feet per second (cfs)
Qs	=	Receiving water 7Q10 flow (cfs)
7Q10	=	The annual minimum flow for 7 consecutive days with a year return frequency.

Thus:

$$\text{Dilution Factor} = \frac{10.03 \text{ cfs} + 32.11\text{cfs}}{10.03 \text{ cfs}} = 4.20 \text{ cfs}$$

FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN MASSACHUSETTS

Only Plymouth County has federally-designated Critical Habitat in Massachusetts. The following are federally-listed species by county:

Common Name	Species	Status	County/General Distribution
Shortnose sturgeon[1]	*Acipenser brevirostrum*	E	Atlantic coastal waters and Connecticut and Merrimack Rivers
Eastern cougar	*Felis concolor couguar*	E	Entire state/historic
Indiana bat	*Myotis sodalis*	E	Berkshire/historic
Bald eagle	*Haliaeetus leucocephalus*	D[2]	Barnstable, Berkshire, Essex, Franklin, Hampden, Hampshire, Plymouth, Worcester
Piping plover	*Charadrius melodus*	T	**Nesting**: Barnstable, Essex, Plymouth, Dukes, Nantucket, Bristol (coastal beaches only) **Migratory:** Atlantic Coast
Roseate tern	*Sterna dougallii dougallii*	E	**Nesting**: Barnstable, Plymouth, Dukes (coastal islands) **Migratory:** Atlantic Coast
Bog turtle	*Clemmys muhlenbergii*	T	Berkshire
Dwarf wedgemussel	*Alasmidonta heterodon*	E	Hampshire, Franklin (Connecticut River watershed)
Puritan tiger beetle	*Cicindela puritana*	T	Hampshire (Connecticut River floodplain)
Northeastern beach tiger beetle	*Cicindela dorsalis dorsalis*	T	Barnstable, Duke (coastal beaches only)
American burying beetle	*Nicrophorus americanus*	E	Dukes, Nantucket (Penikese & Nantucket Isl.) reintroduced populations
Small whorled pogonia	*Isotria medeoloides*	T	Hampshire, Essex, Hampden, Worcester, Middlesex
Sandplain gerardia	*Agalinus acuta*	E	Barnstable, Duke
Northeastern bulrush	*Scirpus ancistrochaetus*	E	Franklin

[1] Principal responsibility for this species is vested with the National Marine Fisheries Service.
[2] Delisted. Protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

9/27/2007

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

MassWildlife

Wayne F. MacCallum, *Director*

10/11/2007

Angela Saunders
BETA Group, Inc.
6 Blackstone Valley Place
Lincoln RI 02865

RE: Project Location: West Water Street
Town: TAUNTON
NHESP Tracking No.: 07-23221

To Whom It May Concern:

Thank you for contacting the Natural Heritage and Endangered Species Program ("NHESP") of the MA Division of Fisheries & Wildlife for information regarding state-listed rare species in the vicinity of the above referenced site. Based on the information provided, this project site, or a portion thereof, is located **within** *Priority Habitat 84* (PH 84) and *Estimated Habitat 827* (EH 827) as indicated in the *Massachusetts Natural Heritage Atlas* (12th Edition). Our database indicates that the following state-listed rare species have been found in the vicinity of the site:

Scientific name	Common Name	Taxonomic Group	State Status
Acipenser oxyrinchus	Atlantic Sturgeon	Fish	Endangered

The species listed above is/are protected under the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). State-listed wildlife are also protected under the state's Wetlands Protection Act (WPA) (M.G.L. c. 131, s. 40) and its implementing regulations (310 CMR 10.00). Fact sheets for most state-listed rare species can be found on our website (www.nhesp.org).

Please note that projects and activities located within Priority and/or Estimated Habitat must be reviewed by the NHESP for compliance with the state-listed rare species protection provisions of MESA (321 CMR 10.00) and/or the WPA (310 CMR 10.00).

Wetlands Protection Act (310 CMR 10.00)

If the project site is within Estimated Habitat and a Notice of Intent (NOI) is required, then a copy of the NOI must be submitted to the NHESP so that it is received at the same time as the local conservation commission. If the NHESP determines that the proposed project will adversely affect the actual Resource Area habitat of state-protected wildlife, than the proposed project may not be permitted (310 CMR 10.37, 10.58(4)(b) & 10.59). In such a case, the project proponent may request a consultation with the NHESP to discuss potential project design modifications that would avoid adverse effects to rare wildlife habitat.

A streamlined joint MESA/WPA review process is now available. When filing a Notice of Intent (NOI), the applicant may now file concurrently under the MESA on the same NOI form and qualify for a 30-day

streamlined joint review. For a copy of the revised NOI form, please visit the MA Department of Environmental Protection's website: http://www.mass.gov/dep/water/approvals/wpaform3.doc.

MA Endangered Species Act (M.G.L. c. 131A)

If the proposed project is located within Priority Habitat and is not exempt from review (see 321 CMR 10.14), then project plans, a fee, and other required materials must be sent to NHESP Environmental Review to determine whether a probable "take" under the MA Endangered Species Act would occur (321 CMR 10.18). Please note that all proposed and anticipated development must be disclosed, as MESA does not allow project segmentation (321 CMR 10.16). For a MESA filing checklist and additional information please see our website: www.nhesp.org ("Regulatory Review" tab).

We recommend that rare species habitat concerns be addressed during the project design phase prior to submission of a formal MESA filing, as avoidance and minimization of impacts to rare species and their habitats is likely to expedite endangered species regulatory review.

This evaluation is based on the most recent information available in the Natural Heritage database, which is constantly being expanded and updated through ongoing research and inventory. If you have any questions regarding this letter please contact Amy Coman, Endangered Species Review Assistant, at (508) 389-6364.

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

Commonwealth of Massachusetts
Division of Fisheries & Wildlife
MassWildlife

Wayne F. MacCallum, *Director*

November 8, 2007

Taunton Conservation Commission
P. O. Box 247
15 Summer Street
Taunton, MA 02780

Fred Cornaglia
City of Taunton, Department of Public Works
90 Ingell Street
Taunton, MA 02780

RE:	Applicant:	City of Taunton
	Project Location:	West Water Street
	Project Description:	Relocation of Cobb Brook in the area of West Water Street and Fifth Avenue
	NHESP File No.	**07-23221**
	DEP Wetlands File No.	073-2305

To Whom It May Concern:

The Natural Heritage & Endangered Species Program (NHESP) of the MA Division of Fisheries & Wildlife has reviewed a *Notice of Intent* with plans (dated October 12, 2007), submitted in compliance with the rare wildlife species section of the MA Wetlands Protection Act Regulations (310 CMR 10.58(4)(b) & 10.59). Additional materials were submitted for review pursuant to the Massachusetts Endangered Species Act (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00) (MESA). The NHESP also reviewed the *Environmental Notification Form (ENF)* for the proposed relocation of Cobb Brook in the area of West Water Street and Fifth Avenue.

Based on a review of the information provided and the information that is currently contained in our database, the NHESP has determined that a portion of the proposed project site is located within *Priority Habitat* (PH 84) and *Estimated Habitat* (EH 827) of the Atlantic Sturgeon (*Acipenser oxyrinchus*). This species is state-listed as "Endangered" and individuals and their habitat are protected pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00).

WETLANDS PROTECTION ACT (WPA)

For projects within *Estimated Habitat*, the WPA Regulations state that "...if a proposed project is found by the issuing authority to alter a resource area which is part of the habitat of a state-listed species, such project shall not be permitted to have any short or long term adverse effects on the habitat of the local population of that species" (310 CMR 10.37, 10.59), and that "no project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, ... or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent" (310 CMR 10.58(4)(b)).

The outfall associated with the proposed project is located within *Estimated Habitat*. The NHESP is primarily concerned with water quality impacts to the Taunton River during construction. **Provided that adequate sedimentation controls are installed and maintained to protect the water quality of the Taunton River, the NHESP finds that the project does NOT result in an adverse effect to the actual resource area habitat of the state-listed species.**

We ask that the Commission:

1. Carefully review the erosion and sedimentation control plan proposed during work to ensure that the there is no impairment to the water quality of Taunton River;
2. Ensure that sedimentation control measures are inspected frequently by the proponent to make certain they function properly. It is especially important to monitor these efforts after large storm events.
3. Require that any and all stone materials used must be pre-washed. Limestone shall not be used onsite as it can alter the pH of the surrounding waters; and
4. Ensure that all erosion and sedimentation controls are removed and properly disposed of as soon as the site stabilizes.
5. Consider elimination of haybales throughout the project to avoid introducing non-native seeds. Unless carefully sourced and screened, haybales can be a source of invasive and non-native plant seeds. A variety of non-biological control measures are available for consideration including double row of siltation barriers, soil tackifiers (e.g. dirt-glue), artificial whattles (e.g. gatorguard), and erosion control blankets with fine (less that 20 mm^2) mesh;

With adequate erosion and sedimentation control installation and maintenance, the proposed project appears to meet the performance standards set forth in the wetland regulations for the protection of rare wildlife habitat as proposed (310 CMR 10.58(4)(b) & 10.59). **Issuance of an Order of Conditions approving the project with the above conditions included is consistent with the Interests of the WPA and Regulations strictly related to rare species.** We ask that the Conservation Commission send a copy of the final Order of Conditions, approving or denying the project, to the NHESP simultaneous with the applicant. Please note, our finding under the WPA addresses only the matter of rare wildlife habitat and does not pertain to other Interests presumed significant under the Wetlands Protection Act Regulations, including "protection of wildlife habitat" (310 CMR 10.01 (2)).

MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

The MESA is administered by the NHESP of the MA Division of Fisheries & Wildlife, and prohibits the "take" of state-listed species. The "take" of state-listed species is defined as "in

reference to animals, means to harass, harm, pursue, hunt, shoot, hound, kill, trap, capture, collect, process, disrupt the nesting, breeding, feeding or migratory activity or attempt to engage in any such conduct, or to assist such conduct, and in reference to plants, means to collect, pick, kill, transplant, cut or process or attempt to engage or to assist in any such conduct. Disruption of nesting, breeding, feeding or migratory activity may result from, but is not limited to, the modification, degradation or destruction of Habitat." (321 CMR 10.02).

Based on a review of the information that was provided and the information that is currently contained in our database, the NHESP has determined that **provided that adequate erosion and sedimentation controls are installed and maintained to protect the water quality of the Taunton River as addressed above consistent with (321 CMR 10.18(2)(a)), this project will not result in a prohibited "take" of State-listed species.** Provided physical work is commenced within three (3) years of the date of issuance of this letter and there is no material chance to the project/plan, then no further review by the NHESP is required. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. The NHESP notes that any activity not included in the current filing (eg, expansion of the scope of the project, change in work-plan or timing, installation of additional structures) and located within *Priority Habitat* may require an additional filing with the NHESP for review if not otherwise exempt.

If you have any questions about this letter, please contact Kristin E. Black, Endangered Species Review Biologist, at (508) 389-6386 (kristin.e.black@state.ma.us).

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

CC: Kevin M. Aguiar, BETA Group Inc. - Representative
MassDEP Southeast Regional Office, Wetlands Program
Holly Johnson, Massachusetts Environmental Policy Act (MEPA) Office

Commonwealth of Massachusetts
Division of Fisheries & Wildlife
MassWildlife

Wayne F. MacCallum, *Director*

December 10, 2007

Taunton Conservation Commission
P. O. Box 247
15 Summer Street
Taunton, MA 02780

Fred Cornaglia
City of Taunton, Department of Public Works
90 Ingell Street
Taunton, MA 02780

RE:		
	Applicant:	City of Taunton
	Project Location:	West Water Street
	Project Description:	Flood control alterations in the industrial area of West Water Street and Fifth Avenue
	NHESP File No.:	**07-23221**
	DEP Wetlands File No.:	073-2305
	Documents Reviewed:	**Revised plans dated November 15, 2007, revised November 21, 2007**

To Whom It May Concern:

The Natural Heritage & Endangered Species Program (NHESP) of the MA Division of Fisheries and Wildlife has received and reviewed revised plans (dated November 15, 2007, revised November 21, 2007) for the above noted project.

WETLANDS PROTECTION ACT (WPA)

The NHESP finds that the revised plans require the same conditions as the previously submitted plans. The NHESP requires adherence with the conditions found in our November 8, 2007 letter (see attached). **Issuance of an Order of Conditions approving the project with the conditions given in our November 8, 2007 letter is consistent with the Interests of the WPA and Regulations strictly related to rare species.** We ask that the Conservation Commission send a copy of the final Order of Conditions, approving or denying the project, to the NHESP simultaneous with the applicant. Please note, our finding under the WPA addresses only the matter of rare wildlife habitat and does not pertain to other Interests presumed significant under the Wetlands Protection Act Regulations, including "protection of wildlife habitat" (310 CMR 10.01 (2)).

MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

The NHESP finds that the revised plans require the same conditions as the previously submitted plans. The NHESP requires adherence with the conditions found in our November 8, 2007 letter (see attached). If project plans change, the applicant must contact the NHESP prior to any work for further guidance. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. The NHESP notes that any activity not included in the current filing and located within *Priority Habitat* may require an additional filing with the NHESP for review if not otherwise exempt. If no physical work is commenced on the above proposed

Division of Fisheries and Wildlife
Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7891
An Agency of the Department of Fish and Game

project within three-years from the date of issuance of our November 8, 2007 letter or there is a material change in the plans that were submitted to the NHESP, updated information and/or plans must be sent to the NHESP for review prior to any work.

If you have any questions regarding this letter please contact Kristin E. Black, Endangered Species Review Biologist, at 508- 389-6386 (Kristin.E.Black@state.ma.us).

Sincerely,

Thomas W. French

Thomas W. French, Ph.D.
Assistant Director

Attachment (1)

cc: Kevin M. Aguiar, BETA Group, Inc. – Representative
MassDEP Southeast Regional Office, Wetlands Program
Holly Johnson, MEPA Office

City of Taunton, Massachusetts
CONSERVATION COMMISSION

15 Summer Street
1st Floor Annex Building
Taunton, Massachusetts 02780

Phone 508-821-1051 Fax 508-821-1665
Phone 508-821-1095 Fax 508-821-1665

March 13, 2008

Angela Saunders
BETA Group, Inc.
6 Blackstone Valley Place
Lincoln, RI 02865

RE: **Amendment to Order of Conditions – SE 73-2305**
West Water Street, Taunton

Dear Ms. Saunders:

During a recent upgrade to our Conservation Data Base, a slight error occurred. When listing the specified Special Conditions issued to you at the time of your hearing with the Conservation Commission, the data base listed them numerically when they should have been listed as specific condition numbers.

Enclosed you will find an amended front page and a copy of the Special Conditions with their corrected designated conditions number. Please attach these two sheets of paper, including this letter to your original Order along with any copies you may have distributed.

It has been determined by this office that since you have already promptly recorded your Order of Conditions at the Registry of Deeds, there is no need to re-record these additional pages.

If you have any questions regarding this matter, please feel free to give this office a call at any time at the number listed above.

Sincerely,

Lynne A. Hurley

Lynne A. Hurley
Conservation Secretary

Lyn
Enclosure

cc: Fred Cornaglia (DPW); Kevin M. Aguiar (BETA)

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE 73-2305

Provided by DEP

A. General Information

From: TAUNTON
1. Conservation Commission

2. This issuance is for (check one): a. ☐ Order of Conditions b. ☑ Amended Order of Conditions

3. To: Applicant:

Fred	Cornaglia	City of Taunton, DPW
a. First Name	b. Last Name	c. Company

90 Ingell Street
d. Mailing Address

Taunton	MA	02780
e. City/Town	f. State	g. Zip Code

4. Property Owner (if different from applicant):

a. First Name	b. Last Name	c. Company

d. Mailing Address

e. City/Town	f. State	g. Zip Code

5. Project Location:

West Water Street	Taunton
a. Street Address	b. City/Town
c. Assessors Map/Plat Number	d. Parcel/Lot Number

Latitude and Longitude (**note**: electronic filers will click for GIS locator):

e. Latitude	f. Longitude

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

a. County	b. Certificate (if registered land)
c. Book	d. Page

7. Dates:

11/16/2007	01/28/2008	01/30/2008
a. Date Notice of Intent Filed	b. Date Public Hearing Closed	c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Cobb Brook Flood Control Project Design and Construction Documents Contract No. S-2007-2
a. Plan Title

BETA Group, Inc.	Robert W. Kelly
b. Prepared By	c. Signed and Stamped by
01/22/2008	1" = 100'
d. Final Revision Date	e. Scale

f. Additional Plan or Document Title	g. Date

Special Conditions

SC1 - Any change in the plans or any change in the construction from the proposed plans shall require the Applicant to file a notice of project change with this Commission via a written inquiry as to whether the change is significant enough to require filing an amendment or a new Notice of Intent. If a minor/insignificant revision, no meeting will be required. Should the house footprint be changed without permission, or found by TCC to be changed in any way from the approved plan, all work shall immediately cease until approved by the TCC. Noncompliance with this condition shall automatically stop any permit process by this office for the Applicant.
SC2 - A copy of this Order of Conditions and the Plans of Record shall be available on site at all times until the project is completed.
SC3 - Best management practices as referenced by the Commission and the City Engineer shall be used to prevent any form of flooding to adjacent properties, wetlands, or watersheds as a result of this project's work. The Applicant shall be fully responsible for any damage due to improper construction or poor engineering on the site, and shall take immediate steps to correct any flooding problems resulting from work on this project. Corrective measures shall be approved by this Commission on an emergency basis if needed.
SC4 - Any debris, fill, or excavated material shall be stockpiled on the upland side of the siltation barriers and at a location which prevents sediment from entering the wetlands.
SC5 - All disturbed areas on this site shall be permanently stabilized either by sodding, loaming and seeding, loaming and hydroseeding, mulching and planting, or by stone placement or other method approved by the Commission. Vegetative or other site stabilization must be uniform and complete before a final Certificate of Compliance is issued.
SC7 - Storm drains and catch basins must be protected from silt during the construction phase of the project.
SC8 - An acceptable dewatering plan must be submitted and approved by the Director of Conservation Services prior to the beginning of the work.
SC9 - No water resulting from dewatering may be discharged into the Resource Area.
SC10 - All hazardous materials on site must be disposed of properly and evidence such as disposal must be presented for the COC.
SC15 - TCC to inspect proposed washout area.
SC16 - TCC to be notified when ownership of the property changes.
SC17 - New owners to be made aware of the Order of Conditions.
SC19 - SILTATION to be installed and inspected prior to construction. (SILTATION BARRIER)
SC20 - Ongoing maintenance for all conservation structures.
SC21 - Evidence of recording within 40 days of issuance.
SC24 - Keep washout area outside of buffer zone.
SC25 - The Applicant shall notify this Commission in writing of the name, address, business and home telephone numbers of the Project Supervisor and/or Contractor who shall be responsible for ensuring compliance with this Order, and who shall notify this Commission in writing at least three (3) days before any activity commences on the project site.
SC26 - A CD with a PDF file of the plans should be submitted prior to the release of the Order of Conditions.
SC27 - A CD with a PDF file of the As-Built plan should be submitted when submitting a Request for Certificate of Compliance.
SC28 - Incorporate recommendations made by NHESP in their correspondence of Nov. 8, 2007.

BK 17331 PG 115
02/25/08 03:28 7000
PAGE 1 OF 9

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE 73-2305

Provided by DEP

A. General Information

From: TAUNTON
1. Conservation Commission

2. This issuance is for (check one): a. ☑ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Fred	Cornaglia	City of Taunton, DPW
a. First Name	b. Last Name	c. Company

90 Ingell Street
d. Mailing Address

Taunton	MA	02780
e. City/Town	f. State	g. Zip Code

4. Property Owner (if different from applicant):

a. First Name	b. Last Name	c. Company

d. Mailing Address

e. City/Town	f. State	g. Zip Code

5. Project Location:

West Water Street	Taunton
a. Street Address	b. City/Town
c. Assessors Map/Plat Number	d. Parcel/Lot Number

Latitude and Longitude (note: electronic filers will click for GIS locator):

e. Latitude	f. Longitude

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

a. County	b. Certificate (if registered land)
c. Book	d. Page

7. Dates:

11/16/2007	01/28/2008	01/30/2008
a. Date Notice of Intent Filed	b. Date Public Hearing Closed	c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Cobb Brook Flood Control Project Design and Construction Documents Contract No. S-2007-2
a. Plan Title

BETA Group, Inc.	Robert W. Kelly
b. Prepared By	c. Signed and Stamped by
01/22/2008	1" = 100'
d. Final Revision Date	e. Scale

f. Additional Plan or Document Title — g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act. Check all that

a. ☐	Public Water Supply	b. ☐	Land Containing Shellfish	c. ☑	Prevention of Pollution
d. ☑	Private Water Supply	e. ☐	Fisheries	f. ☐	Protection of Wildlife Habitat
g. ☑	Groundwater Supply	h. ☑	Storm Damage Prevention	i. ☑	Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

a. ☑ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect these interests, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available) _____ a. linear feet

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☑ Bank	90 a. linear feet	90 b. linear feet	160 c. linear feet	160 d. linear feet
5. ☐ Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. ☑ Land Under Waterbodies and Waterways	0 a. square feet	0 b. square feet	0 c. square feet	_____ d. square feet
	_____ e. cu.yd dredged	_____ f. cu.yd dredged		

B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
7. ☑ Bordering Land Subject to Flooding	0 a. square feet	0 b. square feet	1,400 c. square feet	1,400 d. square feet
Cubic Feet Flood Storage	0 e. cubic feet	0 f. cubic feet	9,375 g. cubic feet	9,375 h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	a. square feet	b. square feet	g. cubic feet	h. cubic feet
9. ☑ Riverfront area	35,400 a. total sq. fee	35,400 b. total sq. fee		
Sq ft within 100 ft	25,000 c. square feet	25,000 d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	10,400 g. square feet	10,400 h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

10. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. ☐ Land Under the Ocean	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
12. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. ☐ Coastal Beaches	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
14. ☐ Coastal Dunes	a. square feet	b. square feet	c. c/y nourishmt.	d. c/y nourishmt.
15. ☐ Coastal Banks	a. linear feet	b. linear feet		
16. ☐ Rocky Intertidal Shores	a. square feet	b. square feet		
17. ☐ Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. ☐ Land Under Salt Ponds	a. square feet	b. square feet		
	c. cu.yd dredged	d. cu.yd dredged		
19. ☐ Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. cu.yd dredged	b. cu.yd dredged		
21. ☐ Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		

C. General Conditions Under Massachusetts Wetlands Protection Act

(only applicable to approved projects)

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.

2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.

3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
   a. the work is a maintenance dredging project as provided for in the Act; or
   b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.

5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.

6. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.

7. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.

8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.

9. A sign shall be displayed at the site not less then two square feet or more than three square feet in

"File Number SE 73-2305 "

C. General Conditions Under Massachusetts Wetlands Protection Act

10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before DEP.

11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.

12. The work shall conform to the plans and special conditions referenced in this order.

13. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.

14. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

15. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.

16. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.

17. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

18. All work associated with this Order is required to comply with the Massachusetts Stormwater Policy Standards.

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☑ No

2. The TAUNTON Conservation Commission hereby finds (check one that applies):

3. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

a. Municipal Ordinance or Bylaw _____ b. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

4. ☑ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Taunton Conservation Ordinance
a. Municipal Ordinance or Bylaw

Chapter 16, Sections 30-38
b. Citation

The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

c. The special conditions relating to municipal ordinance or bylaw are as follows:

See pages 10-11

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: SE73-2305

E. Issuance

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

1/30/08
1. Date of Issuance

Please indicate the number of members who will sign this form:

7
2. Number of Signers

This Order must be signed by a majority of the Conservation Commission. The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Kenneth B. Chapman

Mark Dean

Neil Kelly

Notary Acknowledgement

Commonwealth of Massachusetts County of Bristol

On this 30th Day of January Month 2008 Year

Before me, the undersigned Notary Public, personally appeared Steve Turner, Chair Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were Personal knowledge Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Taunton City/Town Conservation Commission

Lynne A. Hurley
Signature of Notary Public

Lynne A. Hurley
Printed Name of Notary Public

Nov 16 2012
My Commission Expires (Date)

Place notary seal and/or any stamp above

This Order is issued to the applicant as follows:

☐ by hand delivery on

Date

☑ by certified mail, return receipt requested, on 1/30/08
Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

Section G, Recording Information is available on the following page.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 7 of this form shall be submitted to the Conservation Commission listed below.

TAUNTON
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

TAUNTON
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

West Water Street
Taunton — SE 73-2305
Project Location — DEP File Number

Has been recorded at the Registry of Deeds of:

County — Book — Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book — Page

In accordance with the Order of Conditions issued on:

01/30/2008
Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Special Conditions

SC1 - Any change in the plans or any change in the construction from the proposed plans shall require the Applicant to file a notice of project change with this Commission via a written inquiry as to whether the change is significant enough to require filing an amendment or a new Notice of Intent. If a minor/insignificant revision, no meeting will be required. Should the house footprint be changed without permission, or found by TCC to be changed in any way from the approved plan, all work shall immediately cease until approved by the TCC. Noncompliance with this condition shall automatically stop any permit process by this office for the Applicant.
SC2 - A copy of this Order of Conditions and the Plans of Record shall be available on site at all times until the project is completed.
SC3 - Best management practices as referenced by the Commission and the City Engineer shall be used to prevent any form of flooding to adjacent properties, wetlands, or watersheds as a result of this project's work. The Applicant shall be fully responsible for any damage due to improper construction or poor engineering on the site, and shall take immediate steps to correct any flooding problems resulting from work on this project. Corrective measures shall be approved by this Commission on an emergency basis if needed.
SC4 - Any debris, fill, or excavated material shall be stockpiled on the upland side of the siltation barriers and at a location which prevents sediment from entering the wetlands.
SC5 - All disturbed areas on this site shall be permanently stabilized either by sodding, loaming and seeding, loaming and hydroseeding, mulching and planting, or by stone placement or other method approved by the Commission. Vegetative or other site stabilization must be uniform and complete before a final Certificate of Compliance is issued.
SC7 - Storm drains and catch basins must be protected from silt during the construction phase of the project.
SC8 - An acceptable dewatering plan must be submitted and approved by the Director of Conservation Services prior to the beginning of the work.
SC9 - No water resulting from dewatering may be discharged into the Resource Area.
SC10 - All hazardous materials on site must be disposed of properly and evidence such as disposal must be presented for the COC.
SC15 - TCC to inspect proposed washout area.
SC16 - TCC to be notified when ownership of the property changes.
SC17 - New owners to be made aware of the Order of Conditions.
SC19 - SILTATION to be installed and inspected prior to construction. (SILTATION BARRIER)
SC20 - Ongoing maintenance for all conservation structures.
SC21 - Evidence of recording within 40 days of issuance.
SC24 - Keep washout area outside of buffer zone.
SC25 - The Applicant shall notify this Commission in writing of the name, address, business and home telephone numbers of the Project Supervisor and/or Contractor who shall be responsible for ensuring compliance with this Order, and who shall notify this Commission in writing at least three (3) days before any activity commences on the project site.
SC26 - A CD with a PDF file of the plans should be submitted prior to the release of the Order of Conditions.
SC27 - A CD with a PDF file of the As-Built plan should be submitted when submitting a Request for Certificate of Compliance.
SC28 - Incorporate recommendations made by NHESP in their correspondence of Nov. 8, 2007.

Special Conditions

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2008 FEB 25 P 3:21

Workstation: T2

Bristol County North District Registry
11 Court Street
Taunton, Massachusetts 02780

2/25/08

# 42 Rec:time 328 Type ORDR		50.00
DOC. 7000 BK 17331-0115 C. P.		20.00
	R. D.	5.00
	Postage	1.00
Total		76.00
# 44 Payment Check		76.00

THANK YOU! Barry J. Amaral
Register of Deeds

55053

BETA GROUP, INC.

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Record - 3476	2/12/08	0025466	76.00			76.00
CITY OF TAUNTON 1 1		Totals	76.00			76.00

Taunton Conservation Commission

15 Summer Street
Taunton, MA 02780
Tel. 508-821-1095
Fax 508-821-1655
www.tauntongreenpage.com

FIELD REPORT

SITE: **West Water Street, Cobb Brook Project, SE 73-2305**
DATE: **January 28, 2008**
PURPOSE: **Notice of Intent 2nd Review**

Jim Greene, City Engineer, and I met with Beta Group on January 16, 2008 to discuss our concerns regarding the Cobb Brook Project. They were presented with lists form us both and responded with a number of changes that will be less intrusive and more cost effective. As such, the following are changes made to the concerns:

1. A designated dewatering area should be depicted outside of the buffer zone.
   Adequately addressed.
2. A designated concrete washout area should be depicted outside of the buffer zone.
   Adequately addressed.
3. Details of the washout and dewatering areas should be included on the detail sheet.
   Adequately addressed.
4. An engineer's stamp and signature should be on all sheets.
   Adequately addressed.
5. A stockpiling area should be designated.
   Adequately addressed.
6. A removal plan and copies of bills of lading to be provided TCC of all contaminated soils and products.
   Adequately addressed.
7. The berm between the original channel and proposed new channel needs to be reinforced either with riprap or concrete to alleviate potential erosion and siltation within the new channel.
   Adequately addressed.
8. It would seem that the proposed change to the current sewer line (45") to two (2) 30" lines would be unnecessary and would ultimately cause the same problems that are occurring at the current Cobb Brook crossing of W. Water Street. It would be more logical to fix the problem at the first crossing and leave the second crossing as is. To that

effect, raise the conduit for the brook higher and reinforce the current sewer line to offset the additional weight of the conduit. (DEP should be consulted on this. Have you done this?)
Adequately addressed.

9. Where are the flood gates for the new outlet? Show the detail.
Adequately addressed.
10. Can you do cross sections such as sheets C8.1 – C8.8 on one (1) or two (2) sheets rather than 8 sheets? Seems like a waste.
Adequately addressed.
11. Provide a CD with a PDF of the plans.
Adequately addressed.

The City Engineer has also reviewed the changes and finds them adequately address.

I recommend that The Taunton Conservation Commission approve the plan and issue an Order of Conditions to include the attached Special Conditions.

Respectfully,

Michele Restino
Conservation Agent

JP

RECEIVED
OCT 19 2007
MASS. HIST. COMM

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A

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

RC.43212

PROJECT NOTIFICATION FORM

After review of MHC files and the materials you submitted, it has been determined that this project is unlikely to affect significant historic or archaeological resources.

RC.43212

10/26/07

Jonathan K. Patton **Date**
Archaeologist / Preservation Planner
Massachusetts Historical Commission

xc: EOEEA, MEPA Unit

Project Name: **Cobb Brook Relocation**

Location / Address: **West Water Street**

City / Town: **Taunton, MA**

Project Proponent

Name: **BETA Group, Inc.**

Address: **6 Blackstone Valley Place**

City/Town/Zip/Telephone: **Lincoln, RI, 02865 Phone: 401-333-2382**

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)
*Please See Attached Sheet	

Project Description (narrative): Re-route Cobb Brook to alleviate flooding issues.

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

No delineation is planned at this time.

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 rehabilitation of any existing building is planned at this time.

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

This project includes the construction of an underground 4' X 10' Box Culvert. Plans are attached.

APPENDIX A (continued)

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.

What is the total acreage of the project area?

Woodland	0 acres	Productive Resources:	
Wetland	10 acres	Agriculture	0 acres
Floodplain	16 acres	Forestry	0 acres
Open space	0 acres	Mining/Extraction	0 acres
Developed	17 acres	Total Project Acreage	17 acres

What is the acreage of the proposed new construction? 1.5 acres

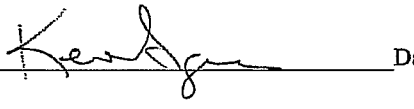
What is the present land use of the project area?

Industrial.

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

Industrial.

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

Signature of Person submitting this form:  Date: 10/10/07

Name: Kevin M. Aquiar

Address: 6 Blackstone Valley Place

City/Town/Zip: Lincoln, Rhode Island 02865

Telephone: 401-333-2382

REGULATORY AUTHORITY

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

BETA Group, Inc.
Engineers • Scientists • Planners

6 Blackstone Valley Place
Lincoln, RI 02865
(401) 333-2382, fax (401) 333-9225
www.BETA-Inc.com

January 30, 2008

Mr. John Brown
Tribal Preservation Officer
Narragansett Indian Tribe
P.O. Box 700
Wyoming, RI 02898

RE: Application for Department of the Army Permit
Cobb Brook Flood Control Project (formerly known as Cobb Brook Relocation Project)
Taunton, Massachusetts

Dear Mr. Brown:

On behalf of the City of Taunton Department of Public Works, BETA Group Inc. applied for an Application for Department of the Army Permit. As part of the application process, the Narragansett Indian Tribe and Wampanoag Tribe are to be notified of the project. The following paragraphs provide a brief description of the proposed project.

> The objective of this project is to mitigate the problematic flooding from Cobb Brook in the industrial area of West Water Street and Fifth Street in Taunton, Massachusetts, by cleaning the existing drainage system, providing additional storm water storage, installing new catch basins and installing a new 10-foot by 4-foot concrete box culvert. The box culvert is the primary mitigation measure to convey excess storm water or flood water to the Taunton River. Improvements to the existing drainage system will consist of installation of a weir plate immediately upstream of the existing twin 48-inch drain pipes to restrict or limit flows to the existing drainage system to prevent downstream flooding. Therefore, flow will be maintained within the existing drainage system at all times to preserve the existing open-channel bank resource areas.

The following materials are enclosed for your review:

- One (1) copy of the Department of Army Permit Application package
- Two (2) copies of 8 ½ x 11 plan set dated January 22, 2008
- One (1) copy of full size plan set dated January 22, 2008
- One (1) copy of MassDEP Waterways Chapter 91 Application package
- One (1) copy of Revised Notice of Intent
- One (1) copy of Environmental Notification Form
- One (1) copy of Certificate of the Secretary

BETA Group, Inc.
Engineers • Scientists • Planners

6 Blackstone Valley Place
Lincoln, RI 02865
(401) 333-2382, fax (401) 333-9225
www.BETA-Inc.com

If we can be of any further assistance regarding this matter, please contact Kevin Aguiar or myself.

Sincerely,

BETA Group, Inc.

Angela Saunders

Angela M. Saunders, P.E.
Project Engineer

Enclosures

BETA Group, Inc.
Engineers • Scientists • Planners

6 Blackstone Valley Place
Lincoln, RI 02865
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January 30, 2008

Ms. Cheryl Andrews-Maltais
THPO
Wampanoag Tribe of Gay Head (Aquinnah)
Tribal Preservation Officer
20 Black Brook Road
Aquinnah, MA 02535-9701

RE: Application for Department of the Army Permit
Cobb Brook Flood Control Project (formerly known as Cobb Brook Relocation Project)
Taunton, Massachusetts

Dear Ms. Andrews-Maltais:

On behalf of the City of Taunton Department of Public Works, BETA Group Inc. applied for an Application for Department of the Army Permit. As part of the application process, the Narragansett Indian Tribe and Wampanoag Tribe are to be notified of the project. The following paragraphs provide a brief description of the proposed project.

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If we can be of any further assistance regarding this matter, please contact Kevin Aguiar or myself.

Sincerely,

BETA Group, Inc.

Angela Saunders

Angela M. Saunders, P.E.
Project Engineer

Enclosures

National Register of Historic Places Documentation

Row	STATE	COUNTY	RESOURCE NAME	ADDRESS	CITY	LISTED	MULTIPLE
1	MA	Bristol	Atwood, Charles R., House	30 Dean St.	Taunton	7/5/1984	Taunton MRA
2	MA	Bristol	Barnum School	Barnum St.	Taunton	7/5/1984	Taunton MRA
3	MA	Bristol	Bartlett, J.C., House	12 Walnut St.	Taunton	7/5/1984	Taunton MRA
4	MA	Bristol	Bassett, C.J.H., House	20 Chestnut St.	Taunton	7/5/1984	Taunton MRA
5	MA	Bristol	Beattie, W.C., House	289 W. Brittania St.	Taunton	7/5/1984	Taunton MRA
6	MA	Bristol	Bristol County Courthouse Complex	9, 11, 15 Court St.	Taunton	3/28/1978	
7	MA	Bristol	Brow's Tavern	211 Tremont St.	Taunton	7/5/1984	Taunton MRA
8	MA	Bristol	Brownell, Henry G., House	119 High St.	Taunton	7/5/1984	Taunton MRA
9	MA	Bristol	Buildings at 80 and 88 W. Brittania St.	80 and 88 W. Brittania St.	Taunton	7/5/1984	Taunton MRA
10	MA	Bristol	Capron, George, House	6 N. Pleasant St.	Taunton	7/5/1984	Taunton MRA
11	MA	Bristol	Central Fire Station	Leonard and School Sts.	Taunton	7/5/1984	Taunton MRA
12	MA	Bristol	Church Green	U.S. 44 and MA 140	Taunton	12/16/1977	
13	MA	Bristol	Cohannet Mill No. 3	120 Ingell St.	Taunton	11/29/2006	
14	MA	Bristol	Colby, Samuel, House	74 Winthrop St.	Taunton	7/5/1984	Taunton MRA
15	MA	Bristol	Dean, Abiezar, House	57 Summer St.	Taunton	7/5/1984	Taunton MRA
16	MA	Bristol	Dean, George, House	135 Winthrop St.	Taunton	7/5/1984	Taunton MRA
17	MA	Bristol	Dean, Jonathan, House	175 Dean St.	Taunton	7/5/1984	Taunton MRA
18	MA	Bristol	Dean, Lloyd, House	164 Dean St.	Taunton	7/5/1984	Taunton MRA
19	MA	Bristol	Dean, Theodore, House	26 Dean St.	Taunton	7/5/1984	Taunton MRA
20	MA	Bristol	Dean-Barstow House	275 William St.	Taunton	7/5/1984	Taunton MRA
21	MA	Bristol	Dean-Hartshorn House	68 Dean St.	Taunton	7/5/1984	Taunton MRA
22	MA	Bristol	East Taunton Fire Station	Middleboro Ave.	Taunton	7/5/1984	Taunton MRA
23	MA	Bristol	Eldridge House	172 County St.	Taunton	7/5/1984	Taunton MRA
24	MA	Bristol	Fairbanks-Williams House	19 Elm St.	Taunton	7/5/1984	Taunton MRA
25	MA	Bristol	Field, Albert, Tack Company	19 Spring St.	Taunton	7/5/1984	Taunton MRA
26	MA	Bristol	Fuller-Dauphin Estate	145 School St.	Taunton	7/5/1984	Taunton MRA
27	MA	Bristol	Godfrey, Gen. George, House	125 County St.	Taunton	7/5/1984	Taunton MRA
28	MA	Bristol	Godfrey, Richard, House	62 County St.	Taunton	7/5/1984	Taunton MRA
29	MA	Bristol	Harris Street Bridge	Spans Taunton River at Dean and Harris Sts.	Taunton	7/5/1984	Taunton MRA
30	MA	Bristol	Haskins, Sarah A., House	18 Harrison St.	Taunton	7/5/1984	Taunton MRA
31	MA	Bristol	Higgins-Hodgeman House	19 Cedar St.	Taunton	7/5/1984	Taunton MRA
32	MA	Bristol	Hodges House	41 Worcester St.	Taunton	7/5/1984	Taunton MRA
33	MA	Bristol	Hopewell Mills District	Bay St. and Albro Ave.	Taunton	7/5/1984	Taunton MRA
34	MA	Bristol	Hopewell School	Monroe St.	Taunton	7/5/1984	Taunton MRA
35	MA	Bristol	Kilmer Street Fire Station	Oak and Kilmer Sts.	Taunton	7/5/1984	Taunton MRA
36	MA	Bristol	King Airfield Hanger	Middleboro Ave.	Taunton	7/5/1984	Taunton MRA
37	MA	Bristol	Knapp, Job, House	81 Shores St.	Taunton	7/5/1984	Taunton MRA

National Register of Historic Places Documentation

Row	STATE	COUNTY	RESOURCE NAME	ADDRESS	CITY	LISTED	MULTIPLE
38	MA	Bristol	Lawrence, William, House	101 Somerset Ave.	Taunton	7/10/1985	Taunton MRA
39	MA	Bristol	Leonard School	W. Brittania St.	Taunton	7/5/1984	Taunton MRA
40	MA	Bristol	Leonard, James, House	3 Warren St.	Taunton	7/5/1984	Taunton MRA
41	MA	Bristol	Lincoln, Ambrose, Jr., House	1916 Bay St.	Taunton	7/5/1984	Taunton MRA
42	MA	Bristol	Lincoln, Asa, House	171 Shores St.	Taunton	7/5/1984	Taunton MRA
43	MA	Bristol	Lincoln, Gen. Thomas, House	104 Field St.	Taunton	7/5/1984	Taunton MRA
44	MA	Bristol	Lord-Baylies-Bennett House	66 Winthrop St.	Taunton	7/5/1984	Taunton MRA
45	MA	Bristol	Lothrop Memorial Building-G.A.R. Hall	Washington and Governor Sts.	Taunton	7/5/1984	Taunton MRA
46	MA	Bristol	Lothrop, H.B., Store	210 Weir St.	Taunton	7/5/1984	Taunton MRA
47	MA	Bristol	Macomber, Calvin T., House	312 W. Brittania St.	Taunton	7/5/1984	Taunton MRA
48	MA	Bristol	Marvel, Theodore L., House	188 Berkley St.	Taunton	7/5/1984	Taunton MRA
49	MA	Bristol	Mason, N. S., House	58 Tremont St.	Taunton	7/5/1984	Taunton MRA
50	MA	Bristol	McKinstrey House	115 High St.	Taunton	7/5/1984	Taunton MRA
51	MA	Bristol	Morse House	6 Pleasant St.	Taunton	7/5/1984	Taunton MRA
52	MA	Bristol	Morse, Henry, House	32 Cedar St.	Taunton	7/5/1984	Taunton MRA
53	MA	Bristol	Mount Pleasant Cemetery	Crocker, Cohannet, and Barnum Sts.	Taunton	12/5/2002	
54	MA	Bristol	Neck of Land Cemetery	Summer St.	Taunton	7/10/1985	Taunton MRA
55	MA	Bristol	North Taunton Baptist Church	1940 Bay St.	Taunton	7/5/1984	Taunton MRA
56	MA	Bristol	Old Colony Iron Works-Nesmasket Mills Complex	Old Colony Ave.	Taunton	7/5/1984	Taunton MRA
57	MA	Bristol	Old Colony Railroad Station	40 Dean St.	Taunton	7/5/1984	Taunton MRA
58	MA	Bristol	Old Weir Stove Company	W. Water St.	Taunton	7/5/1984	Taunton MRA
59	MA	Bristol	Paull, Alfred, House	467 Weir St.	Taunton	7/5/1984	Taunton MRA
60	MA	Bristol	Pilgrim Congregational Church	45 Broadway	Taunton	7/5/1984	Taunton MRA
61	MA	Bristol	Reed and Barton Complex	W. Brittania and Danforth Sts.	Taunton	7/5/1984	Taunton MRA
62	MA	Bristol	School Street School	School and Fruit Sts.	Taunton	7/5/1984	Taunton MRA
63	MA	Bristol	St. Mary's Complex	Broadway and Washington St.	Taunton	7/5/1984	Taunton MRA
64	MA	Bristol	St. Thomas Epsicopal Church	115 High St.	Taunton	7/5/1984	Taunton MRA
65	MA	Bristol	Staples, Sylvanus N., House	21 Second St.	Taunton	7/5/1984	Taunton MRA
66	MA	Bristol	Stone House	15-17 Plain St.	Taunton	7/5/1984	Taunton MRA
67	MA	Bristol	Sweet, Albert, House	179 Highland St.	Taunton	7/5/1984	Taunton MRA
68	MA	Bristol	Taunton Alms House	Norton Ave.	Taunton	7/5/1984	Taunton MRA
69	MA	Bristol	Taunton Green Historic District	Broadway, Taunton Green, Main and Court Sts.	Taunton	3/1/1985	Taunton MRA
70	MA	Bristol	Taunton Public Library	Pleasant St.	Taunton	7/5/1984	Taunton MRA
71	MA	Bristol	Taunton State Hospital	W bank of the Mill R. at Danforth St.	Taunton	1/21/1994	Massachusetts State Hospitals And State Schools MPS

National Register of Historic Places Documentation

Row	STATE	COUNTY	RESOURCE NAME	ADDRESS	CITY	LISTED	MULTIPLE
72	MA	Bristol	Thomas, H.P., House	322 Somerset Ave.	Taunton	7/5/1984	Taunton MRA
73	MA	Bristol	Tisdale-Morse House	17 Fayette Pl.	Taunton	7/5/1984	Taunton MRA
74	MA	Bristol	Union Congregational Church	W. Brittania and Rockland Sts.	Taunton	7/5/1984	Taunton MRA
75	MA	Bristol	Union Mission Chapel-Historical Hall	Cedar St.	Taunton	7/5/1984	Taunton MRA
76	MA	Bristol	US Post Office--Taunton Main	37 Taunton Green	Taunton	10/19/1987	
77	MA	Bristol	Vickery, Capt. David, House	33 Plain St.	Taunton	7/5/1984	Taunton MRA
78	MA	Bristol	Vickery-Baylies House	56 Summer St.	Taunton	7/5/1984	Taunton MRA
79	MA	Bristol	Walker School	Berkley St.	Taunton	7/5/1984	Taunton MRA
80	MA	Bristol	Walker, Peter, House	1679 Somerset Ave.	Taunton	7/5/1984	Taunton MRA
81	MA	Bristol	Washburn, Samuel, House	68 Winthrop St.	Taunton	7/5/1984	Taunton MRA
82	MA	Bristol	Washington School	40 Vernon St.	Taunton	7/5/1984	Taunton MRA
83	MA	Bristol	Weir Engine House	530 Weir St.	Taunton	7/5/1984	Taunton MRA
84	MA	Bristol	Westville Congregational Church	Winthrop and N. Walker Sts.	Taunton	7/5/1984	Taunton MRA
85	MA	Bristol	White, William L., Jr., House	242 Winthrop St.	Taunton	7/5/1984	Taunton MRA
86	MA	Bristol	Whittenton Fire and Police Station	Bay St.	Taunton	7/5/1984	Taunton MRA
87	MA	Bristol	Whittenton Mills Complex	Mill River and Whittenton St.	Taunton	7/5/1984	Taunton MRA
88	MA	Bristol	Williams, Abiathar King, House	43 Ingell St.	Taunton	7/5/1984	Taunton MRA
89	MA	Bristol	Williams, Enoch, House	616 Middleboro Ave.	Taunton	7/5/1984	Taunton MRA
90	MA	Bristol	Williams, Francis D., House	3 Plain St.	Taunton	7/5/1984	Taunton MRA
91	MA	Bristol	Williams, N.S., House	1150 Middleboro Ave.	Taunton	7/5/1984	Taunton MRA
92	MA	Bristol	Willis, Joseph, House	28 Worchester St.	Taunton	7/5/1984	Taunton MRA
93	MA	Bristol	Winslow Congregational Church	61 Winthrop St.	Taunton	7/5/1984	Taunton MRA
94	MA	Bristol	Winthrop Street Baptist Church	58 Winthrop St.	Taunton	7/5/1984	Taunton MRA
95	MA	Bristol	Woodward, William, House	117 Arlington St.	Taunton	7/10/1985	Taunton MRA

NETLAB

REPORT OF ANALYTICAL RESULTS

NETLAB Case Number T0715-03

Prepared for:

Attn: Joe McLoughlin
BETA Group, Inc.
6 Blackstone Valley Place
Lincoln, RI 02865

Report Date: July 17, 2008

Lab # RI010

Electronic Copy

NEW ENGLAND TESTING LABORATORY, INC.
1254 Douglas Avenue, North Providence, RI 02904
(401) 353-3420

ANALYTICAL METHOD REPORT CERTIFICATION FORM

Laboratory Name: New England Testing Laboratory, Inc.	Project #: 3476
Project Location: Cobb Brook: Taunton, MA	RTN[1]:
This form provides certifications for the following data set: T0715-03	

Sample Matrices: Groundwater (x) Soil/Sediment ( ) Drinking Water ( ) Other:

SW-846 Methods Used					
	8260B (x)	8151A ( )	8330 ( )	6010B (x)	7470A/1A (x)
	8270C (x)	8081A ( )	VPH ( )	6020 ( )	9014M[2] ( )
	8082 ( )	8021B ( )	EPH ( )	7000 S[3] ( )	Other: (x)

1 List Release Tracking Number (RTN), if known
2 M – SW-846 Method 9014 or MADEP Physiologically Available Cyanide (PAC) Method
3 S – SW-846 Methods 7000 Series List individual method and analyte

An affirmative response to questions A, B, and C is required for "Presumptive Certainty" status

A	Were all samples received by the laboratory in a condition consistent with that described on the Chain-of Custody documentation for the data set?	Yes (X) No[1] ( )
B	Were all QA/QC procedures required for the specified analytical method(s) included in this report followed, including the requirement to note and discuss in a narrative QC data that did not meet appropriate performance standards or guidelines?	Yes (X) No[1] ( )
C	Does the analytical data included in this report meet all the requirements for "Presumptive Certainty", as described in Section 2.0 of the MADEP document CAM VII A, "Quality Assurance and Quality Control Guidelines for the Acquisition and Reporting of Analytical Data"?	Yes (X) No[1] ( ) Not Applicable ( )
D	***VPH and EPH Methods only***: Was the VPH and EPH Method conducted without significant modifications (see Section 11.3 of respective Methods)	Yes ( ) No[1] ( )

A response to questions E and F below is required for "Presumptive Certainty" status

E	Were all QC performance standards and recommendations for the specified methods achieved?	Yes (X) No[1] ( )
F	Were results for all analyte-list compounds/elements for the specified method(s) reported?	Yes (X) No[1] ( )

[1]*All NO answers must be addressed in an attached Environmental Laboratory case narrative.*

I, the undersigned, attest under the pains and penalties of perjury that, based upon my personal inquiry of those responsible for obtaining the information, the material contained in this analytical report is, to the best of my knowledge and belief, accurate and complete.

Signature: _____ Position: Laboratory Director

Printed Name: Richard Warila Date: 7/17/2008

STATEMENTS/CERTIFICATIONS REQUIRED BY THE NATIONAL ENVIRONMENTAL LABORATORY APPROVAL CONFERENCE (NELAC)

New England Testing Laboratory is certified under the National Environmental Laboratory Approval Program (NELAP). This certification requires the following statements and certifications be included in our report.

This report shall not be reproduced, except in full, without written approval of the laboratory.

New England Testing certifies that the test results contained within this report meet all NELAC requirements except as detailed in the Case Narrative section of this report.

SAMPLES SUBMITTED and REQUEST FOR ANALYSIS:

The samples listed in Table I were submitted to New England Testing Laboratory on July 15, 2008. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. The case number for this sample submission is T0715-03.

Custody records are included in this report.

Site: Cobb Brook: Taunton MA

TABLE I, Samples Submitted

Sample ID	Date Sampled	Matrix	Analysis Requested
MW-7	7/15/08	Water	Table II

TABLE II, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Volatile Organic Compounds	5030B	8260B
Semivolatile Organics	3510C	8270C
Total Petroleum Hydrocarbons	NA	1664A
Total Suspended Solids	NA	2540D
Total Residual Chlorine	NA	4500 Cl-G
Hexavalent Chromium	NA	218.6
Total Cyanide	NA	4500 CN-C,E
PCBs	NA	608
Total Metals		
Antimony	3010A	6010B
Arsenic	3010A	6010B
Cadmium	3010A	6010B
Chromium	3010A	6010B
Copper	3010A	6010B
Iron	3010A	6010B
Lead	3010A	6010B
Mercury	NA	7470A
Nickel	3010A	6010B
Selenium	3010A	6010B
Silver	3010A	6010B
Zinc	3010A	6010B

These methods are documented in:

Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, USEPA/OSW.

CASE NARRATIVE:

Sample Receipt:

No sample for ms/msd/duplicate analysis was supplied. No trip blank or field blank was supplied. (This does not qualify the analytical results but does prevent conducting these SW-846 {Chapter 1, Section 3.4} QA Audits.)

The samples were received on ice at 10 Deg. C.

The samples were received in the appropriate containers.

The chain of custody was adequately completed and corresponded to the samples submitted.

Metals:

All analyses were performed according to NETLAB's documented Standard Operating Procedures, within all required holding times, and with appropriate quality control measures. All QC was within laboratory established acceptance criteria. The samples were received, processed, and reported with no anomalies.

Volatile Organics:

All samples were analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Semivolatiles:

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

PCBs:

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Wet Chemistry:

Total Suspended Solids: The appropriate quality control requirements were within limits.

Total Residual Chlorine: The analysis was performed after the method specified hold time of "immediately after collection".

Total Cyanide: The appropriate quality control requirements were within limits

Hexavalent Chromium: The appropriate quality control requirements were within limits

Total Petroleum Hydrocarbons: The appropriate quality control requirements were within limits

Sample Results

MW-7

Parameter	Result, mg/l	Reporting Limit	Date Analyzed
Total Petroleum Hydrocarbons	N.D.	2.0	7/15/08
Total Suspended Solids	1090	8	7/15/08
Total Residual Chlorine	N.D.	0.01	7/15/08 @ 13:15
Hexavalent Chromium	N.D.	0.01	7/15/08 @ 13:15
Total Cyanide	N.D.	0.01	7/16/08

Sample: MW-7

Case No. T0715-03
Date Extracted: 7/15/08
Date Analyzed: 7/15/08

Subject: PCBs
Method: EPA 608

Compound	Concentration ug/l (ppb)	Reporting Limit
PCB-1016	N.D.	1.0
PCB-1221	N.D.	1.0
PCB-1232	N.D.	1.0
PCB-1242	N.D.	1.0
PCB-1248	N.D.	1.0
PCB-1254	N.D.	1.0
PCB-1260	N.D.	1.0

Surrogates:

Compound	% Recovery	Limits
TCMX	71	42-126
DCBP	89	41-142

METALS RESULTS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Metals Analysis Department certifies that the results included in this section have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

METALS RESULTS

Case Number: T0715-03
Sample ID: MW-7
Date collected: 07/15/08
Matrix WATER
Sample Type: Total

Analyst MM/MG

Parameter	CAS Number	Preparative Method	Analytical Method	Result	Reporting Limit	Detection Limit	Units	Date of Preparation	Date Analyzed
Antimony	7440-36-0	3010A	6010B	ND	0.01	0.01	mg/l	7/15/08	7/16/08
Arsenic	7440-38-2	3010A	6010B	0.02	0.01	0.01	mg/l	7/15/08	7/16/08
Cadmium	7440-43-9	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Chromium	7440-47-3	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Copper	7440-50-8	3010A	6010B	ND	0.02	0.02	mg/l	7/15/08	7/16/08
Iron	7439-89-6	3010A	6010B	10.9	0.05	0.05	mg/l	7/15/08	7/16/08
Lead	7439-92-1	3010A	6010B	0.006	0.005	0.005	mg/l	7/15/08	7/16/08
Mercury	7439-97-6	NA	7470A	ND	0.0002	0.0002	mg/l	7/17/08	7/17/08
Nickel	7440-02-0	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Selenium	7782-49-2	3010A	6010B	0.01	0.01	0.01	mg/l	7/15/08	7/16/08
Silver	7440-22-4	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Zinc	7440-66-6	3010A	6010B	0.07	0.02	0.02	mg/l	7/15/08	7/16/08

ND indicates not Detected

METALS RESULTS

Sample ID: METHOD BLANK

Matrix WATER
Sample Type: Preparation Blank

Analyst MM/MG

Parameter	CAS Number	Preparative Method	Analytical Method	Result	Reporting Limit	Detection Limit	Units	Date of Preparation	Date Analyzed
Antimony	7440-36-0	3010A	6010B	ND	0.01	0.01	mg/l	7/15/08	7/16/08
Arsenic	7440-38-2	3010A	6010B	ND	0.01	0.01	mg/l	7/15/08	7/16/08
Cadmium	7440-43-9	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Chromium	7440-47-3	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Copper	7440-50-8	3010A	6010B	ND	0.02	0.02	mg/l	7/15/08	7/16/08
Iron	7439-89-6	3010A	6010B	ND	0.05	0.05	mg/l	7/15/08	7/16/08
Lead	7439-92-1	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Mercury	7439-97-6	NA	7470A	ND	0.0002	0.0002	mg/l	7/17/08	7/17/08
Nickel	7440-02-0	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Selenium	7782-49-2	3010A	6010B	ND	0.01	0.01	mg/l	7/15/08	7/16/08
Silver	7440-22-4	3010A	6010B	ND	0.005	0.005	mg/l	7/15/08	7/16/08
Zinc	7440-66-6	3010A	6010B	ND	0.02	0.02	mg/l	7/15/08	7/16/08

ND indicates not Detected

LABORATORY CONTROL SAMPLE RECOVERY

Parameter	True Value	Result	Units	Recovery, %	Internal LCL, %	Internal UCL, %	Date Analyzed
Antimony	1.00	0.85	mg/l	85	80	119	7/16/08
Arsenic	0.20	0.19	mg/l	93	80	123	7/16/08
Cadmium	1.00	0.92	mg/l	92	92	113	7/16/08
Chromium	1.00	0.85	mg/l	85	85	117	7/16/08
Copper	1.00	0.85	mg/l	85	85	117	7/16/08
Iron	10.00	8.66	mg/l	87	81	131	7/16/08
Lead	1.00	0.94	mg/l	94	93	110	7/16/08
Mercury	0.001	0.001	mg/l	106	84	118	7/17/08
Nickel	1.00	0.88	mg/l	88	88	115	7/16/08
Selenium	0.20	0.18	mg/l	88	85	116	7/16/08
Silver	0.40	0.35	mg/l	88	86	118	7/16/08
Zinc	1.00	0.91	mg/l	91	87	121	7/16/08

RESULTS: VOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

NETLLAB

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Method: 8260
Matrix: (soil/water) WATER
Sample wt/vol: 5.0 (g/ml) ML
% Moisture
Soil Extract Volume: (uL)
Analyst's Initials: MM

Client Name: BETA Group, Inc.
Lab Sample ID: MW-7
Lab File ID: G08159.D G08160.D
Date Sampled: 7/15/2008
Date Analyzed: 7/17/2008
Dilution Factor: 1 / 50
Soil Aliquot Volume: (uL)

CAS NO.	COMPOUND	UNITS: ug/L	Q
75-01-4	Vinyl Chloride	1.0	U
74-83-9	Bromomethane	1.0	U
75-00-3	Chloroethane	5.0	U
67-64-1	Acetone	5.0	U
75-34-4	1,1-Dichloroethene	1.0	U
75-15-0	Carbon Disulfide	1.0	U
75-09-2	Methylene Chloride	1.0	U
1634-04-4	tert-Butyl methyl ether	1.0	U
156-60-5	trans-1,2 Dichloroethene	1.0	U
75-34-3	1,1-Dichloroethane	1.0	U
78-93-3	2-Butanone	5.0	U
594-20-7	2,2-Dichloropropane	1.0	U
156-59-2	cis-1,2-Dichloroethene	1.0	U
67-66-3	Chloroform	5.0	U
74-97-5	Bromochloromethane	1.0	U
71-56-6	1,1,1-Trichloroethane	1.0	U
563-58-6	1,1-Dichloropropene	1.0	U
56-23-5	Carbon Tetrachloride	1.0	U
71-43-2	Benzene	370	
107-06-2	1,2-Dichloroethane	1.0	U
79-01-6	Trichloroethene	1.0	U
78-87-5	1,2-Dichloropropane	1.0	U
75-27-4	Bromodichloromethane	1.0	U
74-95-3	Dibromomethane	1.0	U
108-10-1	4-Methyl-2-pentanone	5.0	U
106-93-4	Ethylene Dibromide	1.0	U
10061-01-5	cis-1,3-Dichloropropene	1.0	U
108-88-3	Toluene	55	
10061-02-6	Trans-1,3-Dichloropropene	1.0	U
79-00-5	1,1,2-Trichloroethane	1.0	U
591-78-6	2-Hexanone	5.0	U
127-18-4	Tetrachloroethene	1.0	U
124-48-1	Chlorodibromomethane	1.0	U
108-90-7	Chlorobenzene	1.0	U
630-20-6	1,1,1,2-Tetrachloroethane	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLLAB

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Method: 8260
Matrix: (soil/water) WATER
Sample wt/vol: 5.0 (g/ml) ML
% Moisture
Soil Extract Volume: (uL)
Analyst's Initials: MM

Client Name: BETA Group, Inc.
Lab Sample ID: MW-7
Lab File ID: G08160.D
Date Sampled: 7/15/2008
Date Analyzed: 7/17/2008
Dilution Factor: 1.0
Soil Aliquot Volume: (uL)

CAS NO.	COMPOUND	UNITS: ug/L	Q
100-41-4	Ethylbenzene	420	
1330-20-7	m & p-Xylene	470	
95-47-6	o-Xylene	300	
100-42-5	Styrene	1.0	U
75-25-2	Bromoform	1.0	U
98-82-8	Isopropylbenzene	39	
79-34-5	1,1,2,2-Tetrachloroethene	1.0	U
108-86-1	Bromobenzene	1.0	U
96-18-4	1,2,3-Trichloropropane	1.0	U
95-49-8	2-Chlorotoluene	1.0	U
103-65-1	n-Propylbenzene	100	
108-67-8	1,3,5-Trimethylbenzene	150	
106-43-4	4-Chlorotoluene	1.0	U
98-06-6	tert-Butylbenzene	1.0	U
95-63-6	1,2,4-Trimethylbenzene	490	
135-98-8	sec-Butylbenzene	4.8	
99-87-6	p-Isopropyltoluene	12	
75-87-3	Chloromethane	1.0	U
75-65-0	tert butyl alcohol	5.0	U
541-73-1	1,3-Dichlorobenzene	1.0	U
109-99-9	Tetrahydrofuran	1.0	U
106-46-7	1,4-Dichlorobenzene	1.0	U
60-29-7	Diethyl Ether	1.0	U
104-51-8	n-Butylbenzene	1.0	U
95-50-1	1,2-Dichlorobenzene	1.0	U
96-12-8	1,2-Dibromo-3-chloropropane	1.0	U
120-82-1	1,2,4-Trichlorobenzene	1.0	U
87-68-3	Hexachlorobutadiene	1.0	U
91-20-3	Naphthalene	100	
87-61-6	1,2,3-Trichlorobenzene	1.0	U
	1,4-Dioxane	50	U
	tert-amyl Methyl Ether	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLLAB

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Method: 8260
Matrix: (soil/water) WATER
Sample wt/vol: 5.0 (g/ml) ML
% Moisture
Soil Extract Volume: (uL)
Analyst's Initials: MM

Client Name: BETA Group, Inc.
Lab Sample ID: VBLK080717
Lab File ID: G08158.D
Date Sampled: 7/15/2008
Date Analyzed: 7/17/2008
Dilution Factor: 1.0
Soil Aliquot Volume: (uL)

CAS NO.	COMPOUND	UNITS: ug/L	Q
75-01-4	Vinyl Chloride	1.0	U
74-83-9	Bromomethane	1.0	U
75-00-3	Chloroethane	5.0	U
67-64-1	Acetone	5.0	U
75-34-4	1,1-Dichloroethene	1.0	U
75-15-0	Carbon Disulfide	1.0	U
75-09-2	Methylene Chloride	1.0	U
1634-04-4	tert-Butyl methyl ether	1.0	U
156-60-5	trans-1,2 Dichloroethene	1.0	U
75-34-3	1,1-Dichloroethane	1.0	U
78-93-3	2-Butanone	5.0	U
594-20-7	2,2-Dichloropropane	1.0	U
156-59-2	cis-1,2-Dichloroethene	1.0	U
67-66-3	Chloroform	5.0	U
74-97-5	Bromochloromethane	1.0	U
71-56-6	1,1,1-Trichloroethane	1.0	U
563-58-6	1,1-Dichloropropene	1.0	U
56-23-5	Carbon Tetrachloride	1.0	U
71-43-2	Benzene	1.0	U
107-06-2	1,2-Dichloroethane	1.0	U
79-01-6	Trichloroethene	1.0	U
78-87-5	1,2-Dichloropropane	1.0	U
75-27-4	Bromodichloromethane	1.0	U
74-95-3	Dibromomethane	1.0	U
108-10-1	4-Methyl-2-pentanone	5.0	U
106-93-4	Ethylene Dibromide	1.0	U
10061-01-5	cis-1,3-Dichloropropene	1.0	U
108-88-3	Toluene	1.0	U
10061-02-6	Trans-1,3-Dichloropropene	1.0	U
79-00-5	1,1,2-Trichloroethane	1.0	U
591-78-6	2-Hexanone	5.0	U
127-18-4	Tetrachloroethene	1.0	U
124-48-1	Chlorodibromomethane	1.0	U
108-90-7	Chlorobenzene	1.0	U
630-20-6	1,1,1,2-Tetrachloroethane	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLLAB

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Method: 8260
Matrix: (soil/water) WATER
Sample wt/vol: 5.0 (g/ml) ML
% Moisture
Soil Extract Volume: (uL)
Analyst's Initials: MM

Client Name: BETA Group, Inc.
Lab Sample ID: VBLK080717
Lab File ID: G08158.D
Date Sampled: 7/15/2008
Date Analyzed: 7/17/2008
Dilution Factor: 1.0
Soil Aliquot Volume: (uL)

CAS NO.	COMPOUND	UNITS: ug/L	Q
100-41-4	Ethylbenzene	1.0	U
1330-20-7	m & p-Xylene	2.0	U
95-47-6	o-Xylene	1.0	U
100-42-5	Styrene	1.0	U
75-25-2	Bromoform	1.0	U
98-82-8	Isopropylbenzene	1.0	U
79-34-5	1,1,2,2-Tetrachloroethene	1.0	U
108-86-1	Bromobenzene	1.0	U
96-18-4	1,2,3-Trichloropropane	1.0	U
95-49-8	2-Chlorotoluene	1.0	U
103-65-1	n-Propylbenzene	1.0	U
108-67-8	1,3,5-Trimethylbenzene	1.0	U
106-43-4	4-Chlorotoluene	1.0	U
98-06-6	tert-Butylbenzene	1.0	U
95-63-6	1,2,4-Trimethylbenzene	1.0	U
135-98-8	sec-Butylbenzene	1.0	U
99-87-6	p-Isopropyltoluene	1.0	U
75-87-3	Chloromethane	1.0	U
75-65-0	tert butyl alcohol	5.0	U
541-73-1	1,3-Dichlorobenzene	1.0	U
109-99-9	Tetrahydrofuran	1.0	U
106-46-7	1,4-Dichlorobenzene	1.0	U
60-29-7	Diethyl Ether	1.0	U
104-51-8	n-Butylbenzene	1.0	U
95-50-1	1,2-Dichlorobenzene	1.0	U
96-12-8	1,2-Dibromo-3-chloropropane	1.0	U
120-82-1	1,2,4-Trichlorobenzene	1.0	U
87-68-3	Hexachlorobutadiene	1.0	U
91-20-3	Naphthalene	1.0	U
87-61-6	1,2,3-Trichlorobenzene	1.0	U
	1,4-Dioxane	50	U
	tert-amyl Methyl Ether	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

2A

WATER VOLATILE SYSTEM MONITORING COMPOUND RECOVERY

Lab Name: New England Testing Lab Contract: Cobb Brook: Taun

Lab Code: RI010 Case No.: T0715-03 SAS No.: _____ SDG No.: BETA Gro

	EPA SAMPLE NO.	SMC1 #	SMC2 #	SMC3 #	TOT OUT
01	VLCS080717	101	102	104	0
02	VBLK080717	102	100	101	0
03	MW-7	100	96	106	0

QC LIMITS

SMC1	=	4-Bromofluorobenzene	(70-130)
SMC2	=	Toluene-D8	(70-130)
SMC3	=	1,2-Dichloroethane-D4	(70-130)

Column to be used to flag recovery values

* Values outside of contract required QC limits

D System Monitoring Compound diluted out

NELAC LAB

Volatile Organics Laboratory Control Spike

Date Analyzed: 07/17/08 **Sample ID: VLCS080717**

Compound	Spike Added (ug/L)	Spike Result (ug/L)	Recovery, %	Lower Control Limit, %	Upper Control Limit, %
1,1-Dichloroethene	50.0	36.5	73	70	130
Benzene	50.0	42.0	84	70	130
Trichloroethene	50.0	40.4	81	70	130
Toluene	50.0	41.0	82	70	130
Chlorobenzene	50.0	40.7	81	70	130

RESULTS: SEMIVOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

NETLLAB

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Client Name: BETA Group, Inc.
Method: 8270
Lab Sample ID: MW-7
Matrix: (soil/water/air) WATER
Lab File ID: B071509.D
Sample wt/vol: 1000 (g/ml) ML
Date Sampled: 7/15/2008
Level: (low/med) LOW
Date Extracted: 7/15/2008
% Moisture:
Date Analyzed: 7/15/2008
Concentrated Extract Volume: 1000 (uL)
Dilution Factor: 1.0
Injection Volume: 1.0 (uL)
Analyst's Initials: RCM

CAS NO.	COMPOUND	UNITS: UG/L	Q
62-75-9	n-Nitrosodimethylamine	3.0	U
110-86-1	Pyridine	2.0	U
108-95-2	Phenol	2.0	U
62-53-3	Aniline	2.0	U
111-44-4	bis(2-Chloroethyl)ether	1.0	U
95-57-8	2-Chlorophenol	2.0	U
541-73-1	1,3-Dichlorobenzene	1.0	U
106-46-7	1,4-Dichlorobenzene	1.0	U
95-50-1	1,2-Dichlorobenzene	1.0	U
95-48-7	2-Methylphenol	2.0	U
108-60-1	bis(2-chloroisopropyl)ether	1.0	U
106-44-5	3- & 4-Methylphenol	2.0	U
621-64-7	n-Nitroso-di-n-propylamine	1.0	U
67-72-1	Hexachloroethane	1.0	U
98-95-3	Nitrobenzene	1.0	U
78-59-1	Isophorone	1.0	U
88-75-5	2-Nitrophenol	5.0	U
105-67-9	2,4-Dimethylphenol	10	U
65-85-0	Benzoic acid	15	U
111-91-1	bis(2-Chloroethoxy)methane	1.0	U
120-83-2	2,4-Dichlorophenol	2.0	U
120-82-1	1,2,4-Trichlorobenzene	1.0	U
91-20-3	Naphthalene	37	
106-47-8	4-Chloroaniline	1.0	U
87-68-3	Hexachlorobutadiene	1.0	U
59-50-7	4-Chloro-3-methylphenol	5.0	U
91-57-6	2-Methylnaphthalene	3.3	
77-47-4	Hexachlorocyclopentadiene	1.0	U
88-06-2	2,4,6-Trichlorophenol	2.0	U
95-95-4	2,4,5-Trichlorophenol	2.0	U
91-58-7	2-Chloronaphthalene	1.0	U
88-74-4	2-Nitroaniline	1.0	U
131-11-3	Dimethyl phthalate	1.0	U
208-96-8	Acenaphthylene	1.0	U
606-20-2	2,6-Dinitrotoluene	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLLAB

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Client Name: BETA Group, Inc.
Method: 8270
Lab Sample ID: MW-7
Matrix: (soil/water/air) WATER
Lab File ID: B071509.D
Sample wt/vol: 1000 (g/ml) ML
Date Sampled: 7/15/2008
Level: (low/med) LOW
Date Extracted: 7/15/2008
% Moisture:
Date Analyzed: 7/15/2008
Concentrated Extract Volume: 1000 (uL)
Dilution Factor: 1.0
Injection Volume: 1.0 (uL)
Analyst's Initials: RCM

CAS NO.	COMPOUND	UNITS: UG/L	Q
99-09-2	3-Nitroaniline	1.0	U
83-32-9	Acenaphthene	1.0	U
51-28-5	2,4-Dinitrophenol	5.0	U
100-02-7	4-Nitrophenol	5.0	U
132-64-9	Dibenzofuran	1.0	U
121-14-2	2,4-Dinitrotoluene	1.0	U
84-66-2	Diethyl phthalate	9.1	
86-73-7	Fluorene	1.0	U
7005-72-3	4-Chlorophenyl phenyl ether	1.0	U
100-01-6	4-Nitroaniline	1.0	U
534-52-1	4,6-Dinitro-2-methylphenol	5.0	U
86-30-6	n-Nitrosodiphenylamine	1.0	U
101-55-3	4-Bromophenyl phenyl ether	1.0	U
118-74-1	Hexachlorobenzene	1.0	U
87-86-5	Pentachlorophenol	5.0	U
85-01-8	Phenanthrene	1.0	U
120-12-7	Anthracene	1.0	U
84-74-2	Di-n-butylphthalate	3.0	U
206-44-0	Fluoranthene	1.0	U
92-87-5	Benzidine	60	U
129-00-0	Pyrene	1.0	U
85-68-7	Butyl benzyl phthalate	1.0	U
91-94-1	3,3'-Dichlorobenzidine	1.0	U
56-55-3	Benzo(a)anthracene	1.0	U
218-01-9	Chrysene	1.0	U
117-81-7	bis(2-Ethylhexyl)phthalate	3.0	U
117-84-0	Di-n-octyl phthalate	3.0	U
205-99-2	Benzo(b)fluoranthene	1.0	U
207-08-9	Benzo(k)fluoranthene	1.0	U
50-32-8	Benzo(a)pyrene	1.0	U
193-39-5	Indeno(1,2,3-cd)pyrene	1.0	U
53-70-3	Dibenz(a,h)anthracene	1.0	U
191-24-2	Benzo(g,h,i)perylene	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLLAB

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Client Name: BETA Group, Inc.
Method: 8270
Lab Sample ID: SBLK080715
Matrix: (soil/water/air) WATER
Lab File ID: B071511.D
Sample wt/vol: 1000 (g/ml) ML
Date Sampled: 7/15/2008
Level: (low/med) LOW
Date Extracted: 7/15/2008
% Moisture:
Date Analyzed: 7/15/2008
Concentrated Extract Volume: 1000 (uL)
Dilution Factor: 1.0
Injection Volume: 1.0 (uL)
Analyst's Initials: RCM

CAS NO.	COMPOUND	UNITS: UG/L	Q
62-75-9	n-Nitrosodimethylamine	3.0	U
110-86-1	Pyridine	2.0	U
108-95-2	Phenol	2.0	U
62-53-3	Aniline	2.0	U
111-44-4	bis(2-Chloroethyl)ether	1.0	U
95-57-8	2-Chlorophenol	2.0	U
541-73-1	1,3-Dichlorobenzene	1.0	U
106-46-7	1,4-Dichlorobenzene	1.0	U
95-50-1	1,2-Dichlorobenzene	1.0	U
95-48-7	2-Methylphenol	2.0	U
108-60-1	bis(2-chloroisopropyl)ether	1.0	U
106-44-5	3- & 4-Methylphenol	2.0	U
621-64-7	n-Nitroso-di-n-propylamine	1.0	U
67-72-1	Hexachloroethane	1.0	U
98-95-3	Nitrobenzene	1.0	U
78-59-1	Isophorone	1.0	U
88-75-5	2-Nitrophenol	5.0	U
105-67-9	2,4-Dimethylphenol	10	U
65-85-0	Benzoic acid	15	U
111-91-1	bis(2-Chloroethoxy)methane	1.0	U
120-83-2	2,4-Dichlorophenol	2.0	U
120-82-1	1,2,4-Trichlorobenzene	1.0	U
91-20-3	Naphthalene	1.0	U
106-47-8	4-Chloroaniline	1.0	U
87-68-3	Hexachlorobutadiene	1.0	U
59-50-7	4-Chloro-3-methylphenol	5.0	U
91-57-6	2-Methylnaphthalene	1.0	U
77-47-4	Hexachlorocyclopentadiene	1.0	U
88-06-2	2,4,6-Trichlorophenol	2.0	U
95-95-4	2,4,5-Trichlorophenol	2.0	U
91-58-7	2-Chloronaphthalene	1.0	U
88-74-4	2-Nitroaniline	1.0	U
131-11-3	Dimethyl phthalate	1.0	U
208-96-8	Acenaphthylene	1.0	U
606-20-2	2,6-Dinitrotoluene	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

NETLAB

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: T0715-03
Client Name: BETA Group, Inc.
Method: 8270
Lab Sample ID: SBLK080715
Matrix: (soil/water/air) WATER
Lab File ID: B071511.D
Sample wt/vol: 1000 (g/ml) ML
Date Sampled: 7/15/2008
Level: (low/med) LOW
Date Extracted: 7/15/2008
% Moisture:
Date Analyzed: 7/15/2008
Concentrated Extract Volume: 1000 (uL)
Dilution Factor: 1.0
Injection Volume: 1.0 (uL)
Analyst's Initials: RCM

CAS NO.	COMPOUND	UNITS: UG/L	Q
99-09-2	3-Nitroaniline	1.0	U
83-32-9	Acenaphthene	1.0	U
51-28-5	2,4-Dinitrophenol	5.0	U
100-02-7	4-Nitrophenol	5.0	U
132-64-9	Dibenzofuran	1.0	U
121-14-2	2,4-Dinitrotoluene	1.0	U
84-66-2	Diethyl phthalate	1.0	U
86-73-7	Fluorene	1.0	U
7005-72-3	4-Chlorophenyl phenyl ether	1.0	U
100-01-6	4-Nitroaniline	1.0	U
534-52-1	4,6-Dinitro-2-methylphenol	5.0	U
86-30-6	n-Nitrosodiphenylamine	1.0	U
101-55-3	4-Bromophenyl phenyl ether	1.0	U
118-74-1	Hexachlorobenzene	1.0	U
87-86-5	Pentachlorophenol	5.0	U
85-01-8	Phenanthrene	1.0	U
120-12-7	Anthracene	1.0	U
84-74-2	Di-n-butylphthalate	3.0	U
206-44-0	Fluoranthene	1.0	U
92-87-5	Benzidine	60	U
129-00-0	Pyrene	1.0	U
85-68-7	Butyl benzyl phthalate	1.0	U
91-94-1	3,3'-Dichlorobenzidine	1.0	U
56-55-3	Benzo(a)anthracene	1.0	U
218-01-9	Chrysene	1.0	U
117-81-7	bis(2-Ethylhexyl)phthalate	3.0	U
117-84-0	Di-n-octyl phthalate	3.0	U
205-99-2	Benzo(b)fluoranthene	1.0	U
207-08-9	Benzo(k)fluoranthene	1.0	U
50-32-8	Benzo(a)pyrene	1.0	U
193-39-5	Indeno(1,2,3-cd)pyrene	1.0	U
53-70-3	Dibenz(a,h)anthracene	1.0	U
191-24-2	Benzo(g,h,i)perylene	1.0	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

2C

WATER SEMIVOLATILE SURROGATE RECOVERY

Lab Name: New England Testing Lab Case No.: T0715-03

Lab Code: RI010 Client Name: BETA Group, Inc.

	Sample ID	S1 #	S2 #	S3 #	S4 #	S5 #	S6 #	TOT OUT
01	MW-7	16	12	42	52	74	45	0
02	SBLK080715	21	13	48	55	68	44	0
03	SLCS080715	30	21	54	64	74	47	0

QC LIMITS

S1	=	2-Fluorophenol	(10-102)
S2	=	Phenol-d6	(10-102)
S3	=	Nitrobenzene-d5	(11-120)
S4	=	2-Fluorobiphenyl	(32-109)
S5	=	2,4,6-Tribromophenol	(58-155)
S6	=	Terphenyl-d14	(20-144)

Column to be used to flag recovery values

* Values outside of contract required QC limits

D Surrogate diluted out

NELAC LAB

Semivolatile Water Laboratory Control Spike

Date Extracted: 7/15/2008
Date Analyzed: 7/15/2008

	Amount Spiked ug/L	Result, ug/L	Recovery %	Lower Recovery Limit	Upper Recovery Limit
n-Nitrosodimethylamine	50.0	10.6	21	10	69
Pyridine	50.0	9.2	18	10	72
Phenol	50.0	10.5	21	10	67
Aniline	50.0	16.3	33	14	92
bis(2-Chloroethyl)ether	50.0	26.3	53	26	97
2-Chlorophenol	50.0	25.2	50	30	85
1,3-Dichlorobenzene	50.0	25.7	51	26	87
1,4-Dichlorobenzene	50.0	25.7	51	26	89
Benzyl alcohol	50.0	22.3	45	32	89
1,2-Dichlorobenzene	50.0	26.0	52	27	92
2-Methylphenol	50.0	21.9	44	32	86
bis(2-chloroisopropyl)ether	50.0	24.7	49	24	95
3- & 4-Methylphenol	50.0	20.0	40	28	80
n-Nitroso-di-n-propylamine	50.0	28.0	56	31	106
Hexachloroethane	50.0	25.3	51	24	89
Nitrobenzene	50.0	25.8	52	26	100
Isophorone	50.0	27.9	56	26	115
2-Nitrophenol	50.0	33.6	67	25	104
2,4-Dimethylphenol	50.0	21.9	44	28	114
bis(2-Chloroethoxy)methane	50.0	28.0	56	28	112
2,4-Dichlorophenol	50.0	27.9	56	28	105
1,2,4-Trichlorobenzene	50.0	26.1	52	26	98
Naphthalene	50.0	29.8	60	27	104
4-Chloroaniline	50.0	21.5	43	28	107
Hexachlorobutadiene	50.0	27.9	56	26	107
4-Chloro-3-methylphenol	50.0	28.5	57	29	116
2-Methylnaphthalene	50.0	29.6	59	27	104
Hexachlorocyclopentadiene	50.0	29.4	59	10	115
2,4,6-Trichlorophenol	50.0	31.6	63	35	114
2,4,5-Trichlorophenol	50.0	31.0	62	34	123
2-Chloronaphthalene	50.0	28.6	57	33	108
2-Nitroaniline	50.0	34.1	68	37	124
Dimethyl phthalate	50.0	29.5	59	40	119
Acenaphthylene	50.0	34.1	68	35	113
2,6-Dinitrotoluene	50.0	40.0	80	41	128
3-Nitroaniline	50.0	32.0	64	26	152
Acenaphthene	50.0	36.7	73	34	112
2,4-Dinitrophenol	50.0	38.4	77	15	146
4-Nitrophenol	50.0	12.3	25	10	101
Dibenzofuran	50.0	33.9	68	36	116
2,4-Dinitrotoluene	50.0	40.7	81	41	129
Diethyl phthalate	50.0	30.8	62	39	121

NELAC LAB

Semivolatile Water Laboratory Control Spike

Date Extracted: 7/15/2008
Date Analyzed: 7/15/2008

Fluorene	50.0	34.8	70	40	118
4-Chlorophenyl phenyl ether	50.0	34.4	69	38	110
4-Nitroaniline	50.0	37.5	75	32	148
4,6-Dinitro-2-methylphenol	50.0	38.0	76	33	125
n-Nitrosodiphenylamine	50.0	32.2	64	53	138
4-Bromophenyl phenyl ether	50.0	27.2	54	36	117
Hexachlorobenzene	50.0	30.6	61	48	117
Pentachlorophenol	50.0	40.2	80	54	127
Phenanthrene	50.0	34.7	69	48	115
Anthracene	50.0	35.0	70	45	121
Di-n-butylphthalate	50.0	32.4	65	38	132
Fluoranthene	50.0	36.1	72	48	122
Pyrene	50.0	33.8	68	45	120
Butyl benzyl phthalate	50.0	38.5	77	34	142
Benzo(a)anthracene	50.0	36.3	73	52	117
Chrysene	50.0	37.1	74	47	118
bis(2-Ethylhexyl)phthalate	50.0	39.2	78	33	145
Di-n-octyl phthalate	50.0	40.3	81	16	159
Benzo(b)fluoranthene	50.0	33.3	67	45	132
Benzo(k)fluoranthene	50.0	38.0	76	46	130
Benzo(a)pyrene	50.0	32.4	65	46	138
Indeno(1,2,3-cd)pyrene	50.0	32.3	65	41	153
Dibenz(a,h)anthracene	50.0	33.7	67	48	146
Benzo(g,h,i)perylene	50.0	31.9	64	36	158

Custody Records

NEW ENGLAND TESTING LABORATORY, INC.
1254 Douglas Ave.
North Providence, RI 02904
1-888-863-8522

CHAIN OF CUSTODY RECORD

① VOCs TO INCLUDE: ETHYLENE DIBROMIDE
TERT-BUTYL ALCOHOL
TERT-AMYL METHYL ETHER
1,4 DIOXANE

TO15-03

PROJ. NO.	PROJECT NAME/LOCATION
3476	COBB BROOK : TAUNTON, MA

CLIENT: BETA Group INC.
REPORT TO: Joe McLoughlin
INVOICE TO: Joe McLoughlin

DATE	TIME	COMP	GRAB	SAMPLE I.D.	AQUEOUS	SOIL	OTHER	NO. OF CONTAINERS	PRESERVATIVE	TESTS: 1,3S METHOD 160.3	TRC METHOD 330.5	TPH 1664	TOTAL CYANIDE 335.4	VOCs 8260 ①	SVOCs 8270 ①	TOTAL METALS ②	HEXAVALENT CHROMIUM ④	PCBs METHOD 608	REMARKS
7-15-08	7:45 AM		X	MW-7	X			8		X	X	X	X	X	X	X	X	X	

② ANTIMONY
ARSENIC
CADMIUM
CHROMIUM
COPPER
LEAD
MERCURY
NICKEL
SELENIUM
SILVER
ZINC
IRON ③

③ IRON: METHOD 200.7 OR 6010D USE PREP METHOD 3010

④ HEX. CHROMIUM METHOD 218.6 OR METHOD 1636

Sampled by: (Signature)	Date/Time	Received by: (Signature)	Date/Time
Alan R. Lemmin	7.15.08	Lee Donovan	7-15-08 11:30 AM
Relinquished by: (Signature)	Date/Time	Received by: (Signature)	Date/Time
Lee Donovan	7-15-08 12:00 PM		
Relinquished by: (Signature)	Date/Time	Received for Laboratory by: (Signature)	Date/Time
		Deepak	7/15/08 12:00

Laboratory Remarks:
Temp. received: 10°
Cooled ☐

Special Instructions:
List Specific Detection Limit Requirements:

CONFIRMED ON PHONE W/LYNN

Turnaround (Business Days): 48 HOUR