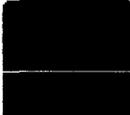


7: New Bedford
8: 5-1-2011



{In Archive} NB S. Terminal

Carl Dierker to: Lois Adams
Cc: Stephen Perkins, Ira Leighton, Cynthia Catri, Leann Jensen

03/08/2011 04:16 PM

Archive: This message is being viewed in an archive.

Lois -- I really appreciate your taking the lead to organize this meeting and help the state reach out to the tribes on an issue that could be difficult to resolve. Please let us know how things play out at next week's meeting.

Thanks,
Carl

Lois Adams Good afternoon Gary, I wanted to share with yo... 03/08/2011 03:16:47 PM

From: Lois Adams/R1/USEPA/US
To: "Davis, Gary (ENV)" <Gary.Davis@state.ma.us>
Cc: Carl Dierker/R1/USEPA/US@EPA, 'Chet Myers' <cmyers@apexcos.com>
Date: 03/08/2011 03:16 PM
Subject: Re: FW: Lois Adams

Good afternoon Gary,

I wanted to share with you the major concerns that both tribes would like to discuss at the proposed March 15th meeting at 2:30. They are as follows:

The redesign of the bulkhead - too close to the paleosols; and reason for odd configuration

Is there proposed further investigation of paleosols?

Sufficiency of test boring sites

Lack of consultation on activities - as evidenced by the current borings which the tribes were unaware of.

Outcome of current borings

They want to speak to some that can discuss the technical issues with them as well as someone with decision-making authority should changes be necessary.

I portrayed this as a small meeting of key people. Thank you in advance for coming to New Bedford. All I need now is a confirmation from you regarding the attendance of Apex and the Archeologist.

Lois

Lois K. Adams
Branch Chief
Grants, Tribal, Community and Municipal Assistance



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Phone (617)918-1591
E-Mail adams.lois@epa.gov

"Davis, Gary (ENV)" Good Morning Lois. In keeping with yesterday... 03/04/2011 09:03:46 AM

From: "Davis, Gary (ENV)" <Gary.Davis@state.ma.us>
To: Lois Adams/R1/USEPA/US@EPA
Cc: 'Chet Myers' <cmyers@apexcos.com>, Carl Dierker/R1/USEPA/US@EPA
Date: 03/04/2011 09:03 AM
Subject: FW: Lois Adams

Good Morning Lois. In keeping with yesterday's discussion, I have been in touch with EEA's consultant who has confirmed that it has been conducting exploratory borings associated with design of the proposed facility. Apex has also confirmed that they have instituted the following measures to ensure that these activities will not impact the delineated paleosols onsite:

- 1) All of the borings are overseen by Apex personnel who worked directly with the Archaeologists who delineated the paleosol. The movement and location of the barge is under Apex control, and it has Apex personnel onsite 100% of the time.
- 2) Apex designed the boring program to ensure that (a) no borings were located within the paleosol; and (2) the barge (on which the drill rig is operating), is not be positioned over any portion of the paleosol area when drilling.
- 3) Apex has the exact location of the paleosol in its Global Positioning System software, as well as the location of its barge and borings. The software program is the same one used to locate the paleosol during the archeological investigation. Therefore, Apex is 100% confident that it knows the exact location of the paleosol, the barge, and the borings at all times when in the field.
- 4) EEA and Apex feel that the approach is protective of the paleosol area, and is consistent with the measures that Apex stated would be undertaken to protect the paleosol area when communicating with MHC and MBUAR on this issue (the communications of which were forwarded to you and the tribes).

As for the proposed meeting for May 15th at 2:30, the time works for me; however, I am checking in with Apex and the Archeologist to determine their availability. I will get back with you with a clear confirmation as soon as I can. In the meantime, please feel free to call me if you have any other questions or concerns. /gd

Gary Davis, Jr.

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