

From: [Bill White](#)
To: [Tisa, Kimberly](#); [Catri, Cindy](#)
Cc: [Eric Hines \(ehines@lemessurier.com\)](#); [Jay Borkland \(jborkland@apexcos.com\)](#); [Chet Myers \(cmyers@apexcos.com\)](#); [Gregory Dolan \(gdolan@apexcos.com\)](#); [John McAllister](#); [Christopher Morris](#); [Christen Anton](#); [Dierker, Carl](#); [Stanley, Elaine](#); [Lombardo, Ginny](#); [Marsh, Michael](#); [Colarusso, Phil](#); [Alicia Barton](#)
Subject: MassCEC Request on Contamination & MassDEP Communication on ARARs
Date: Friday, August 30, 2013 5:00:44 PM
Attachments: [MassCEC Request for Change to Increase Final Conc Allowed Onsite NBMCT.pdf](#)

Kim & Cindy & Team EPA,

As we discussed earlier this week, attached is a letter from MassCEC to EPA requesting that the NBMCT Final Determination be revised to increase the final maximum PCB concentration allowed onsite after remediation from a maximum of 25 mg/kg to a maximum of less than 50 mg/kg.

Also attached is a communication from MassDEP on MassCEC's amended request on blasting.

Many thanks for all your work. We look forward to being in touch next week.

In the meantime, Happy Labor Day!

Best,

Bill

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From: Weinberg, Philip (DEP) [mailto:philip.weinberg@state.ma.us]
Sent: Friday, August 30, 2013 4:42 PM
To: Bill White; Chet Myers
Subject: MassDEP Review of Request for Additional Navigational Blasting

Bill,

MassDEP has reviewed your August 28, 2013 letter to Elaine Stanley at EPA Region 1 regarding an Amended Request for Additional Blasting to the Final Determination, New Bedford South Terminal Project and the supporting documents referenced therein. The Amended Request presented an alternatives analysis through which CEC seeks to increase the blasting charge in the proposed navigational channel adjacent to the new bulkhead from 50 lbs up to 150 lbs in a limited number of

circumstances. The request was made in order to be able to address the inability to rely on the smaller charges as a result of the unanticipated thickness of the rock at certain locations. The smaller charge would not completely dislodge the rock to the necessary depth necessitating multiple blasts which cumulatively would result in greater impacts due to the removal of the overburden between the first and subsequent charges. In addition, the work associated with multiple charges would prevent the project from meeting its required construction timeline. The area of proposed blasting is not significantly expanded, but the proposed blasting timeline has been expanded from one to two months commencing on September 15th.

Based on the information provided in the above documents, MassDEP concludes that the use of the larger charges is consistent with the performance standards of MassDEP Water Quality Certification regulations under the terms and conditions set forth in the Amended Request, as may be supplemented by the relevant conditions for use of blasting for navigational dredging set out in the June 18, 2012 Memo from Phil Weinberg to EPA Region 1.

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