

From: [Dierker, Carl](#)
To: [Bill White](#); jborkland@apexc.com
Cc: [Jensen, LeAnn](#)
Subject: RE: Ammended EPA Blasting Request
Date: Tuesday, September 10, 2013 4:18:14 PM

Thanks very much for the prompt answers to the initial group of questions we sent you Friday – very helpful.

I've left a v-message on Bill's phone, but it would be good if the three of us could discuss the National Historic Preservation Act process as it pertains to the Palmer's Island lighthouse. I think there may be ways you can help us respond to the Mass Historical Commission's letter. I'm available this afternoon, until ~ 6:30 or tomorrow afternoon, from 2-4pm or any time on Thursday. If possible, I'd also like to include LeAnn Jensen, who is EPA's expert on NHPA issues. Let me know what works best for the two of you. Thanks.

From: Bill White [mailto:bwhite@MassCEC.com]
Sent: Tuesday, September 10, 2013 10:40 AM
To: Dierker, Carl
Cc: Gregory Dolan (gdolan@apexc.com); John McAllister; Christopher Morris; Christen Anton; Alicia Barton; cmyers@apexc.com; jborkland@apexc.com; Eric Hines (ehines@lemessurier.com); Catri, Cindy; Williams, Ann; Marsh, Michael; LeClair, Jacqueline; Stanley, Elaine; Tisa, Kimberly; Colarusso, Phil; Lombardo, Ginny
Subject: RE: Ammended EPA Blasting Request

Carl,

Attached are:

1. Responses to EPA's additional questions from September 6, 2013,
2. USACE Amended Approval for Blasting
3. Revised JASCO report as requested by Mr. Michael Marsh.

Please let us know as soon as possible if there is any additional information you need in order to issue the Final Modification.

Many thanks,

Bill

Bill White
Director, Offshore Wind Sector Development
Massachusetts Clean Energy Center
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(617) 315-9330

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From: Dierker, Carl [<mailto:Dierker.Carl@epa.gov>]
Sent: Friday, September 06, 2013 5:37 PM
To: Bill White
Cc: Gregory Dolan (gdolan@apexcos.com); John McAllister; Christopher Morris; Christen Anton; Alicia Barton; cmyers@apexcos.com; jborkland@apexcos.com; Eric Hines (ehines@lemessurier.com); Catri, Cindy; Williams, Ann; Marsh, Michael; LeClair, Jacqueline; Stanley, Elaine; Tisa, Kimberly; Colarusso, Phil; Lombardo, Ginny
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Bill – We appreciate your organizing this afternoon’s call with the authors of the Jasco report. I thought it was very helpful in answering our initial questions about the report and we look forward to reviewing the explanations we requested to help document the rationale behind the report’s conclusions.

On that call, I also mentioned that we had some preliminary questions/comments concerning your Amended Request for Additional Blasting dated August 28, 2013. While we haven’t completed our review of that document, I thought it would be good to get these preliminary comments to you as early as possible so your team could begin working on responses while we complete our review of the amended blasting plan. (Please ignore formatting, as I’ve had to cut and paste from several emails.)

Items in Mass CEC’s August 28, 2013 letter to us that warrant clarification or confirmation:

1. CEC’s response to our question related to timing (see pages 4-5 of the CEC letter) states that all the blasting work will end on Nov. 15. It is important that CEC understand and acknowledge condition 2 in our June 13, 2013 letter (which we have also included as condition 3 in the letter we sent today to NMFS reinitiating consultation). Specifically, we have stated that EPA will need to evaluate the effects of any blasting that takes place in one area in September before we can agree to allow further blasting before November 15.
2. It would be helpful if Mass CEC would confirm that, in addition to installing silt and bubble curtains at the blast sites, it intends to install an additional silt curtain north of the blast sites to deflect migrating juvenile anadromous fish for any blasting before Nov. 15, as we stated in our June 13 letter (condition 3).
3. It would be helpful if Mass CEC would identify where the additional blasted rock will be disposed.
4. Please explain why the substantive requirements of State explosive regulations 527 CMR Section 13, which regulate the transportation, storage and handling of explosives on land and vessels, have not been identified as an ARAR and not included in the State’s ARARs letters. Alternatively, please revise your ARARs analysis and provide an addendum including these regulations. (There appears to be an intent to comply with these regulations since Section 12 of the Blasting Plan references these regulations and the blasting specs (1.1.1) also require compliance with these regulations.)
5. Attachment F: Operational Blasting Plan

DOT licenses/permits (section 2.2.1):

- a. Explosives Supply Inc.
 - i. Certificate of Registration expired 6/30/13
 - ii. Hazardous Material Safety Permit expired 4/30/13
 - b. John Joseph Inc.
 - i. Certification of Registration expired 6/30/13
 - ii. Hazardous Material Safety Permit expired either June 30, 2012 or 2013.
 - iii. Truck Annual inspections expired; last performed for all trucks on 11/25/11.
(Section 4.1.3)
6. Section 4.1.2 is missing the transportation route from explosives supplier to Fish Island.
 7. Section 5.4 and 5.6 will need updating; reflects EPA conditions in June and July letters with 50lb charge per delay limit.
 8. Section 12.2.1 cites 527 CMR Section 13 but the actual text of the regulations is missing.

If you have questions or concerns about any of these comments, please be sure to include Ann Williams and Cindy Catri on any follow up emails so we can respond as quickly as possible.

Thanks,

Carl

Carl F. Dierker
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From: Bill White [<mailto:bwhite@MassCEC.com>]

Sent: Wednesday, August 28, 2013 7:03 PM

To: Dierker, Carl; Catri, Cindy; Williams, Ann; Marsh, Michael; LeClair, Jacqueline; Stanley, Elaine; Tisa, Kimberly; Colarusso, Phil

Cc: Gregory Dolan (gdolan@apexc.com); John McAllister; Christopher Morris; Christen Anton; Alicia Barton; cmyers@apexc.com; jborkland@apexc.com; Eric Hines (ehines@lemessurier.com)

Subject: Ammended EPA Blasting Request

Carl & Team EPA,

Please find attached amended blasting request from Team MassCEC. We expect to forward the GZA report tomorrow on the Hurricane Barrier Assessment and the revised JASCO report next week. Additionally, we have reached out to DEP on the ARARs request, and hope to hear back shortly.

Many thanks for all your attention and effort on this vital project.

Bill

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***** ATTACHMENT NOT DELIVERED *****

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If the message sender is known and the attachment was legitimate, you
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extension and resend the Email with the renamed attachment. After
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rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****